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S Y S T E M
O F
Moral Philosophy.

Of Conscience, its Nature and Rules.	Of Commutative Justice, and of Usury.
Of the external Rule of Human Actions.	Of Truth and Faithfulness.
Of Law in particular.	Of Restitution.
Of the Law of Nature.	Of Distributive Justice.
Of Virtue in general, and of Vice.	Of Marriage.
Of Prudence and Sincerity.	Of Relative Duties.
Of Fortitude and Sobriety.	Of Government.
Of Temperance, and of Justice in general.	Of Universal Benevolence.
Of Negative and Positive Justice.	Of Piety, or the Duties owing to God.
	Of the Advantages derived from Revelation in the Study and Practice of Morality.

By the late Reverend and Learned
Mr. H E N R Y G R O V E,
of T A U N T O N.

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ST. Y. T. E. M.

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Moral Philology

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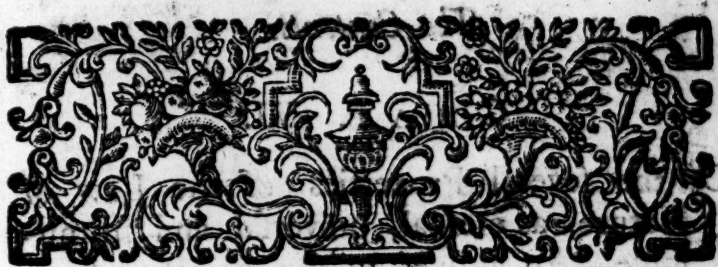
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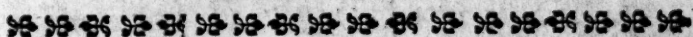
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Advertisement.

IT is proper to inform the Public, that the
Chapter on *Faithfulness* in this Volume
is the last of the System that was composed
by Mr. GROVE; and that all the following
Chapters are added by the *Editor*.

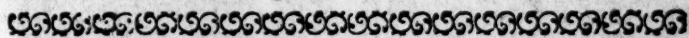


PART II.



SECTION II.

Of Law in particular.



CHAPTER IV.

Of Law in particular, and the principal Distinctions of it.

SECTION I.



SHALL next give you an Account of such *Distinctions* of *Law* as are most *important*, or do most *need* explanation. *Laws* are divided,

i. With regard to their *Original*, into *Divine* and *Human*. Concerning the *former* it is a good Remark of ^a *Placete*, the

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Use-

^a Of Conscience, Book I. Chap. iv.

2 *Of Law in particular,* PART II.

Usefulness of which you will better discern hereafter, than you can now, “ that the
 “ *Will of God* in his *Precepts* has rather our
 “ *Duty*, than our *Actions*, for its proper
 “ *Object*. That is, God wills *formally* and
 “ *immediately*, not *our doing* what he com-
 “ mands, for then our Obedience must fol-
 “ low *necessarily* and *infallibly*; but our *be-*
 “ *ing obliged* to do it, and that his Will al-
 “ ways obtains its effect. For, whatever
 “ God hath commanded, it is our *Duty* to
 “ perform, whether we *actually* perform it,
 “ or no.” *Human Laws* are necessary as a
remedy, partly to the *generality*, and partly
 to the *inefficacy* of the *Divine*. The Laws
 of God are too *general* to ascertain all the
 duties of Society, without some additional
 interpretations of Men. That no Man by
fraud or *violence* injure another, and take
 his Property, is a *divine Law*; which not-
 withstanding, *human Laws* are in many cases
 needful to settle the bounds of property, and
 assign every Member of the Community his
 rights and duties; what he may expect from
 others, and what he is to do to them. *Salus Populi suprema Lex esto*. “ To secure
 “ the Welfare of the Society be the supreme
 “ Law,” is really a divine Precept; but the
 geniuses and interests of Nations are so va-
 rious, yea, so liable to change are the inte-
 rests and circumstances of the same People,
 that different Laws are necessary to suit this
 diversity

diversity of tempers, occasions, and emergencies. Nor is it any reproach to the *divine* Law that it is no more *particular*; since it must be infinite to reach all the particular circumstances of Mankind: And God hath given Men *reason*, by which they may build upon the foundation that he hath laid such further Laws and Constitutions, as the course and posture of human affairs shall require. Nor is the *inefficacy* of the *Law of God*, which is the other thing that makes *human* Laws *necessary*, any more a *dishonour* to it. For what is the *cause* of this inefficacy, but the wilful corruption of Men? It was most fit, that the chief rewards and punishments annexed to the divine Laws should be *unseen* and *future*; that the *trial* of human Virtue might be more conspicuous. And were not Mankind sunk into an extreme degeneracy, the prospect of an eternal World would make all other considerations useless. But as it is now, the Torments of an after-life are not a bridle strong enough upon the lusts and passions of Men. It is therefore necessary, that every Society, to secure its own peace, should insert as much of the divine Law into their respective constitutions, as concerns the welfare of the *Body politic*; and inforce these Laws, not as *divine*, but as Laws of the *State*, with civil Sanctions; that they who will not be made

4 *Of Law in particular, PART II.*

honest by the fear of God, may be so by the fear of the Laws of their Country. The difference between the *Philosophers* and *others* was said to be this, ΜΟΝΟΙ ΠΟΙΟΥΣΙΝ ΕΚΧΣΙΩΣ Α ΠΟΙΟΥΣΙΝ ΑΚΟΝΤΕΣ ΟΙ ΛΟΙΠΟΙ, “ that they practised
“ from choice that Honesty and Virtue,
“ which others observed through fear of the
“ Laws;” agreeably to that of the ^b *Apostle*,
that the Law is not made for a righteous Man, but for the lawless and disobedient.

SECTION II. *Human* Laws are subdivided into the *Law of Nations*, *Civil* and *Canon Law*. *Jus Gentium*, or the *Law of Nations*, is that rule or measure, which all or several *Nations*, either by a *tacit* or *express* agreement, are obliged to observe towards each other, whether in *War* or *Peace*. Others, as the ^c *Roman* Lawyers particularly, by the *Law of Nations* understood that Law which is *common* to all Mankind; but the *Moderns* justly find fault with this definition, for confounding the *Law of Nations* with the *Law of Nature*, properly so called; which is indeed the *Law of God*. On this account I should rather say, there is no such thing as a *Law of Nations*. Reason will not allow us to term *that* the Law of Nations, to which the *Digests* have given that name;

^b 1 Tim. i. 9.

^c Digest. Lib. I. Tit. i.

Chap. IV. *and the Distinctions of it.* 5

name; because this, as was observed just now, is no other than the Law of Nature: and accordingly^d *Cicero* looks upon them as one and the same. *Neque vero hoc solum Natura, id est, jure Gentium, sed etiam Legibus populorum, quibus in singulis civitatibus Respublica continetur, eodem modo constitutum est; ut non liceat sui commodi causa nocere alteri.* "It is not only determined by Nature, that is, by the Law of Nations, but "by the Laws of particular People, which "maintain the good order of every State, "that no one should be allowed for his own "advantage to injure another." Nor can the Law of Nations, as defined by the *Moderns*, be so called, unless *all Compacts and Agreements* may be so styled. The compacts of Nations differ not *specifically* from the compacts of *private* persons; and derive, as well as these, their whole obligation from the Law of Reason, which binds public Bodies no less than particular Men to be just to their word.

SECTION III. *Civil Law* admits of a more *general* or *special* acceptation. According to its *general* acceptation, the *Statutes* and *Ordinances* of every State for the good government of its members are *Civil Laws*. More *strictly* the name is appropriated to

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the

^d De Offic. Lib. III. Cap. v.

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the *Roman Law* comprised in *four Books*; the *Code*, the *Pandects* or *Digests*, the *Institutes*, and the *Novels* or *Authentics*: the particular explication of all which you will find in the *New Institutes* of the Imperial or Civil Law, page 5. and following. “ It is
“ very observable, says this author, in his
“ Preface, that *Infidels* and *Heathens* com-
“ posed the greatest part of this scheme of
“ equity and justice; and that those Nati-
“ ons who were never conquered by the
“ *Romans*, as the *Germans* and the *Scots*,
“ freely embraced this Law; and that it
“ remained among other Nations, after
“ they were delivered from the power which
“ imposed it. For since the decay of the
“ *Roman* greatness, this Law has been re-
“ ceived in several *Monarchies* and *Common-*
“ *wealths*, as agreeable to all forms of Go-
“ vernment; it being calculated only for
“ *private* affairs, and touching lightly on
“ public matters. Among us in *England*
“ the governing Law is founded upon *gene-*
“ *ral* and *particular Customs* and *Acts* of
“ *Parliament*; and some of these customs
“ have been taken from the *Civil* and *Canon*
“ Laws; and our statutes are oftentimes
“ drawn upon a platform borrowed from
“ both these Laws, to regulate inconveni-
“ ent usages or other defects: But we reject
“ the *Civil* and *Canon Law*, when it con-
“ tradicts

Chap. IV. - *and the Distinctions of it.* 7

“ tradicts the *Jus Coronæ*, the *Common Law*,
“ or our *Acts of Parliament*.” Canon or
Ecclesiastical Laws taken at large are Laws
relating to the *worship*, *discipline*, and go-
vernment of the *Church*. Canon Law
κατ' ἐξοχην, or *eminently* so called, consists of
the *Sayings* of the *Fathers*, the *Canons* of ho-
ly *Councils*, and the *Decrees* of *Popes*; which
have been compiled into a body by *Popish*
writers, and is a celebrated study in that
Church. In *Protestant* Countries those call-
ed *Ecclesiastical* Laws, are not such with
respect to their *original* but *subject matter*;
they have all their force from the *Civil*
Authority; and therefore *as Laws*, are not
Ecclesiastical, but so termed from the *mat-*
ters about which they are conversant, which
are of an *Ecclesiastical* nature.

SECTION IV. ii. Laws are divided with
respect to the *matter* of them, and *manner*
of publication, into *natural* and *positive*.
The *matter* of the *former* is something in its
own nature good and *necessary*. These Laws
are founded in the immutable natures and re-
lations of things, carry their own recom-
mendation with them, and were it not for
the depravity of Mankind, would not need
a supernatural light for the discovery of their
reasonableness and obligation. *Positive* Laws
are either *purely* positive, or *partly* so.

The matter of *purely positive* Laws is *indifferent*; so that the positive decree of the Legislator *alone* makes them to be Laws, mere Reason being silent about them. Such were the *ceremonial* Laws of the *Jews*; and such are the *Sacraments* of the *Christian* Religion.

“ Not but every *positive* Law, as Dr. ^e Grew
 “ well observes, is *grounded* in *Reason*, or
 “ supposed so to be as an essential part of
 “ it; without which it were not a *Law*,
 “ but a *public wrong*: Yet Legislators are
 “ not bound to discover that Reason unto
 “ those to whom the Law is given, as be-
 “ ing *coram non Judice*, no proper Judges.”

To which I shall add, that the *Reasons*, did they appear, would not amount to a *Law*, without the *express Institution* of the *supreme* Power: And that many times it is *reason enough* for a *divine* Law, that it is a *proper Trial* of the Creatures obedience. As to instance only the prohibition of eating the fruit of the *Tree of Knowledge of good and evil*. The ^f Author just quoted thinks it congruous, “ that the *highest Angels* should
 “ be governed by a Law, not only that of
 “ their *own Natures*, but *positive* Law.”
 Nay, he says further, “ that we can by no
 “ means doubt, but that God has given his
 “ positive or express Laws both to this, and
 “ all

^e Cosmologia Secra, Book III. Chap. vi.

^f Dr. Grew, Cosmolog. sacr. &c.

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“ all other celestial and terrestrial worlds.” For the reasons of this assertion I shall refer you to the Author himself, and only stay you so long as to observe, that if he means some *standing positive* Law, under which every order of intelligent Beings is united together, I cannot so intirely come into his sentiments; as if he understood it only of *temporary* and *occasional* Edicts, by which God exercised their obedience. This *last* is not *improbable*, nor the *first* indeed *impossible*. When I speak of *Laws partly positive*, I intend the *Law of Nature*, or the moral Law as *revived*, *improved*, and *inforced* by *Revelation*. There are several *particulars* of this Law, which receive a *greater* degree of evidence from this new promulgation; such as the Law of *single Marriage*, the Laws *prohibiting Marriage* within certain *degrees*, the Law against *Divorce*, and the like. For though these Laws are exactly *consonant* to reason, and even *discoverable* by it; yet not so *easily*, nor with that *intire* satisfaction. And then not only these, but *all* the *Branches* of the moral Law, derive *stronger inforcement* from the *revealed Will* of God; for which reason I call them *partly positive*. The Law concerning the *Sabbath* is in a peculiar sense a Law of this kind, the very *matter* of it being *mixed*. That *some part* of time should be consecrated

ted to the *worship* of our Creator, the *Light of Nature* will dictate ; but that it should be a *seventh* portion rather than any other, or the *last* seventh rather than the *first*, or the *third*, is not *natural* but *positive*. *Human Laws, as such, are only positive.*

SECTION V.iii. *Laws* are distinguished, from the *Will* of the Lawgiver, into *permissive*, and *obligatory*. *Permissive* signifying a *Will* of permission ; *obligatory* a perceptive *Will*. How far this distinction may be allowed, and wherein I disapprove of it, you have seen before.

iv. *Laws* as to their *quality* are divided into *affirmative* and *negative*. *Affirmative Laws* oblige to the *performance* of some action ; *negative* to the *forbearance* of it. The first are strictly called *Commands* ; the latter *Prohibition*. Upon this head the following *Observations* may be made.

1. That the *Distinction* is rather *modal*, than *real* ; the *affirmative* being contained under the *negative*, and the *negative* under the *affirmative Precepts*. A command to be just is a command at the same time not to be unjust ; and a command not to be unjust, is a command to be just.

2. An *affirmative Precept* obliges *always* to the action when there is *ability* and *opportunity* ; but does not oblige a person to be *continually* doing that action. That is, it obliges

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obliges *semper*, but not *ad semper*; as the *Schoolmen* express it. Affirmative precepts extend to several actions, which cannot be all done at the same time; and therefore neither of them *always*, without omitting others which are equally commanded. Which shews, that the precept to ^e*pray always*, and others of a like nature, must not be *strictly* understood, but with this reasonable limitation. Whereas negative precepts not only oblige *semper*, but *ad semper*; because they only command a forbearance of action, which forbearance may be of *ten thousand* actions at once, and must of necessity be of all actions but one.

3. *Affirmative* precepts as to *habit* and *disposition* oblige *always*; not only *semper*, but *ad semper*. This is, we are to be in a constant readiness of mind for the performance of all the duties of Morality and Religion, which occasionally offer.

SECTION VI. iv. *Laws* are distinguished, with respect to the *Sanction*, into *directive*, and *penal*. By *directive* are meant the *Laws* without any *punishment* annexed to them. The ^b*Roman Lawyers* mention certain *Laws* of this kind which they call *imperfect*, because

^e Eph. vi. 18.

^b See *Puffendorf*. De Jure Naturæ & Gentium, Lib. I. Cap. vi. Sect. 14.

cause they contain not any *penal sanction* properly speaking. Such was the *Cincian Law*; the penalty adjoined to which was no more than this, "whosoever shall act otherwise than is hereby directed, shall be reputed guilty of an ill action." Another instance is theⁱ *Valerian Law*; which whoever transgressed had no other punishment inflicted on him by the Law, but that it pronounced him to *have done a wicked action*. "Such," says *Livy*, was the Modesty of those times, that this was thought a sufficient restraint; which no one now would think to be a threatening strong enough to attend any command to a slave." By *penal Laws*, on the contrary, are understood such as have some *penalty* to *inforce* them. Note here, that *all the Laws of God* are and cannot but be *penal*. If the punishment be not expressed, it is implied, and to be collected from the reason of thing. For every *known breach* of the divine Law is a *sin*, and *meritorious* of punishment; and without doubt the *punishment* it deserves becomes *due*, immediately upon committing the offence; and shall be *actually inflicted* if repentance does not prevent it. Note further, it is a question, whether Men have a right to make any Laws, which they have not likewise a
right

ⁱ Livii Histori. Lib. X. Sect. ix.

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right to make penal? The reason is, that an authority to enact Laws, which it is either impossible to know when they are broken, or of which when broken the Lawgiver has no right to vindicate the honour, such an authority is apparently useless and insignificant; and wants that which should support its credit and make it venerable. *Law* should have some such *awful* attendants as ^k *Horace* describes *Fortune* with,

*Te semper anteit sæva necessitas,
Clavos trabales, & Cuneos manu
Gestans aliena : nec severus
Uncus abest, liquidumque plumbum.*

With solemn pace and firm, in awful state
Before thee stalks inexorable Fate,
And grasps impailing nails, and wedges
dread,
The hook tormentous, and the melted
lead.

Francis.

And upon this account it may be doubted, whether such a naked and defenseless authority, is any where to be found. *Note* once more, that what we call *penal*, ¹ some will have to be called *coactive* Laws; against
the

^k Lib. I. Od. xxxv, vers. 17—20.

¹ *Sanderfon* De Lege Pœnali in Libro de Oblig. Conf.

the propriety of which there lies this objection. That *proper coercion* is an *infringement* upon *physical Liberty*, and therefore not compatible with Law; which after all the penalties annexed leaves men their natural Liberty to obey or not. The distinction therefore into *directive* and *penal* pleases me best.

SECTION VII. *Penal Laws* are subdivided into *purely penal*, and *penal only in part*. A Law *purely penal*, is or may be expressed in a *disjunctive* proposition; the choosing *either* member of which, *satisfies* the intention of the Law. Thus a Gentleman who is named *Sheriff* of the *County*, is obliged either to *discharge the Office*, or *pay his Fine*; but left to his liberty, which of the two he will prefer. These Laws are called *purely penal*, because they oblige only *ad Pœnam*, not *ad Culpam*: or, in plain terms, if we refuse the first part of the disjunction which contains something to be *done*, we are bound to submit to the second which is *penal*; and, if ready to do this, are in no fault for having declined the first. A Law, on the contrary, that is *in part penal*, carries in it an *absolute* and *categorical precept*; in disobeying of which we are guilty of a fault, though prepared voluntarily to undergo the punishment threatened. On the distinction now given
take

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take these two remarks. 1. In Laws *purely penal punishment* is not understood in the *rigorous* sense of that word; but for an *inconvenience* suffered upon any account, or for any cause whatsoever. Whereas in Laws that are penal only *in part*, the punishment is properly such, and relates to some antecedent crime. 2. Though a Law *purely penal* does not bind *ad Culpam* in the *same* sense, as a Law penal only *in part*, yet in *another* it does. The Man whose estate qualifies him for *Sheriff*, is yet a good subject in the eye of the Law, provided he be willing to *fine*, being named to that office. But if he be stubborn, and will not do either without compulsion, either serve or fine, he forfeits that title. The reason of the difference is sufficiently plain, and to be fetched from the Law, which leaves him to his discretion to chuse either, but not to refuse both. In doing this he disclaims subjection to the will of his superior delivered in an equitable Law.

SECTION VIII. A question offers here of no small moment, how it may be known when a Law is *purely penal*? The answer is, if the matter of it be something *indifferent*, the Law commanding nothing *morally good*, nor forbidding any thing *morally evil*. If further, the punishment denounced be something

something to be *done*, as paying a sum of money, rather than *suffered*, as infamy, banishment, corporal pain or the like. If lastly, paying the penalty be an *equivalent* to the performance of the first part of the Law, so that neither the Legislator nor the Commonwealth shall receive any damage. *Ne quid detrimenti capiat Rex*, we may say as well as *Respublica*. Where all these concur, the Law, I believe, may be concluded to be purely penal. Before I dismiss this distinction I have one thing more to observe, though it be a little out of the way. That supposing the *Dissenters* before the *Revolution* to have been involved in the guilt of *Schism*, by virtue of the penal Laws then in being, (though I believe no such thing) yet by the *Act of Toleration* they are not only exempted from the *Penalties* of these Laws; (as Mr. Norris is pleased to affirm, in that very charitable Book called the *Charge of Schism continued*) but the *Laws* themselves are *rescinded*. This I gather from the *Preamble* of that *Act*, which declares it to be intended for the *Ease* of *scrupulous Consciences*. Which end our Legislators were too wise to think could be attained, by leaving the *preceptive* part of these Laws still in force, and only disarming them of their penalties. By this, it is true, they might *ease* the *pockets* of *Dissenters*, and deliver them
from

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from their fears of Gaols and Confiscations ; but what is this to their *scrupulous Consciences* ? If they continue thus bound, so that all persons who have only *scruples* of Conscience to object to *Conformity* are by the Laws beforementioned obliged *ad Culpam* for their *Nonconformity*, though not *ad Pœnam* : Where is that ease to scrupulous Consciences, which the *Act of Toleration* makes a shew of giving ? This by the by.

SECTION IX. There are other *Distinctions* of Law, as into *general* and *particular*, *temporary* and *eternal*, *oral* and *written* ; which are *only* mentioned, because they need no more. I shall just take notice concerning these *last*, or *written* Laws, that they are necessary for the reason given by ^m *Cicero*. *Leges sunt inventæ, quæ cum omnibus semper una atque eadem voce loquerentur.* “ Laws
“ were invented, (he must mean it of *writ-*
“ *ten* Laws) that might speak the *same*
“ things to all men, at all times, and in the
“ same words”

SECTION X. I shall conclude this Chapter with some useful *Rules* about the *existence* and *interpretation* of Laws.

i. A *fair* and *evident deduction* from any Law is as truly a *part* of the Law, or

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^m De Officiis, Lib. II. Cap. xii.

to be as much reckoned the will of the Legislator, as the *principle* from which it is drawn.

ii. The *command* of the *Means* is included in the command of the *End*. Is there a Law injoining *consideration* and contempt of the world? The same Law enjoins *retirement* from the world, and a freedom from its distractions. Does the command oblige us to be *holy*? It likewise makes *prayer*, *reading*, *meditation*, and the like, to be necessary *duties*, as they are necessary and indispensable *Means* to this end. Is an *Abstinence* from any *action* commanded? It is by the same command required, that we avoid all *needless occasions* and *temptations* leading to it. And so *vice versa*, in commanding the *means* the *end* is commanded. No *instrumental* duty is to be *rested* in; and therefore the Law commanding prayer, meditation, and hearing, implies a command to be *holy*; this being the great end for which the rest are appointed,

iii. *Optima est Legum interpretres consuetudo*, says theⁿ *Civil Law*. *Custom* or *allowed Practice* is a very good *interpreter* of *Laws*. This rule takes place chiefly in questions concerning *human* Laws; for as to the *Laws* of *God*, it is *seldom* of use. I will not say *never*; because the *universal* practice of the
purest

ⁿ Digest. i, iii, xxxvii.

purest ages of Christianity, concurring with passages of *Canonical Scripture*, may be an additional evidence of something, which would not otherwise be so plain. As, to instance particularly, the *translation* of the *Sabbath* from the *last* to the *first* day of the week.

iv. The Law which forbids a person to do a thing *himself*, forbids his encouraging and approving it in another. It is not only a sin to be *drunk one's self*, but to *rejoice* in that folly committed by *another*; and much more to *minister* to his excess. For the same reason as we ought not to profess or act any thing contrary to our real inward sentiments; we ought not by *persuasive*, and much less by *compulsive* methods to induce our neighbour to sin after this manner. This, among many other practices, evidently condemns persecution. In all such cases, besides the guilt of the sin which had not been committed but for us; we have a guilt *peculiar* to ourselves, *viz.* a notorious breach of that charity which we owe to the souls of others.

v. When any *sin* is *forbidden*, *all* the *species*, and *all* the *degrees* of that sin are forbidden. The prohibition of injustice includes every kind and degree of it; and so of intemperance, uncleanness, and the like. Many think they come off well enough as long as they are not drunk, though there

be degrees of excess short of this sin, and in those who are strong to drink many such.

SECTION XI. vi. In *parallel cases* the *disposition* of *either* extends to *both*. *Ubi eadem ratio, idem jus*. ° *Placete* instances here two cases out of the *Levitical Law*, *Lev. xviii.* the *Grandson's* marrying his *Grandmother*, and the *Niece* her *Mother's Uncle*; which though not *expressly* prohibited, are prohibited by *construction*; since a *Grandfather* is not to marry his *Grandaughter*, nor a *Niece* her *Uncle* by the *Father's side*.

vii. Where the *external Action* is commanded or forbidden by the Law of God, the *internal* becomes necessary or unlawful; which is the foundation and principle of the other. This might be illustrated in the cases of *almsgiving*, *murder*, *adultery*, and the like. And so *vice versa*, in commanding the *inward* principle, as charity or love to our Neighbour, the Law commands all *outward* acts within our power. Thus also, if it be unlawful to *think* or *desire* evil, much more to practise it.

viii. *Affirmative* and *negative* precepts *reciprocally suppose* one the other. This was illustrated under the distinction of Laws into affirmative and negative.

9. The

ix. The Lawifluing from an *inferior* authority *obliges not*, when it *clafhes* with a *superior*. This alone juftifies fuch as *feperate* from the *eftablifhed* Church upon the principle of *better edification*. For fince there is a divine Law importing, that every man is to take the *beft* care he can of his own foul, and muft give *an account of himfelf unto* God; whoever is verily perfuaded that he *beft answers this end* by worfhipping God in a *difſenting* Congregation, (and for certain every one ought to judge for himfelf) not only *may*, but is *obliged* to follow that courſe, which upon trial he finds *moſt* for his *ſpiri-tual* advantage. Again, this condemns thoſe who make the *Civil Law*, or the *Law* of the *Country* where they live, the *Rule* of their *Conſciences* in matters of right and wrong. For the thing to be conſidered is not what the *Laws* of *men* permit, but what the *Law* of *God* natural or revealed determines in any caſe. ^p *Peccare nemini licet, ſed ſermonis errore labimur; id enim licere diximus quod inique conceditur.* “ It is not
“ lawful for any to be injuſt, but common
“ language leads us into a miſtake; for we
“ often ſay *that* is lawful, which the Laws
“ permit contrary to equity.” And again,
^q *Jam vero ſtultiſſimum illud exiſtimare omnia juſta eſſe, quæ ſcita ſunt populorum inſtitutis*

^p Cicero. Tuſculan. Quæſt. Lib. V. Cap. xix.

^q De Legibus, Lib. I.

& legibus. “ It is a very foolish opinion to
 “ look on every thing as just, which the
 “ Laws or Votes of a people have estab-
 “ lished.” † The same Author expresses his
 dislike of the Character, which *Hecato* the
Rhodian and a disciple of *Panæti*us gives
 of a wise man, that he studies his own inte-
 rest, as far as he can promote it without
 offending against received customs, laws,
 and institutions. † The *Makers of Laws*
 often

† De Officiis, Lib. III. Cap. xv.

† A famous *Civilian* explains the distinction between *juris præcepta* & *juris regulæ*, after much the same manner. *Juris præcepta* are certain general maxims of right and equity; such as those mentioned by *Ulpian*, *honestè vivere, alterum non lædere, suum cuique tribuere*. *Juris regulæ* are particular Laws or Rules, with a penalty annexed. There is a kind of necessity of obeying these latter; the neglect of them being punished by public justice. But a precept has no such obligation in the *Civil Law*; there being no punishment but what is divine. Of this the Author gives an instance in that remarkable case among the *Romans*, of exposing their children. The practice was a high offence against natural right, (which makes *Paulus* a *Roman Lawyer* say, *Necare videtur non tantum is qui partum perforat, sed & is qui abjicit, & qui alimenta denegat; & is qui publicis locis misericordiæ exponit, quam ipse non habet*;) but was not subject to the animadversion of the *Civil Law*. *Noodtsi. Opera de Partus Expositione. Cap. I.* The Author upon this occasion quotes *Seneca de Ira, Lib. II. Cap. xxvii.*—*Quam angusta innocentia est ad Legem bonum esse? Quanto latius officiorum patet, quam juris regula? Quam multa pietas, humanitas, liberalitas, justitia, fides exigunt, quæ omnia extra publicas tabulas sunt?* Another famous *Civilian* gives a somewhat different account of these *juris regulæ*. Having observed that the *Roman Lawyers* sometimes consulted and debated together weighty and difficult questions, and then determined them by common suffrage, which was called *Disputatio Fori*; he afterwards subjoins, *Quin & regulæ juris, quarum toties jus nostrum meminit,*
 nihil

often find themselves under a necessity of establishing constitutions, which in many cases leave persons no room to prosecute their own just rights; and this they do to avoid a greater evil, the *multiplicity of Law-suits*, and some of them *endless*; as in the case of contracts and prescriptions. But from hence it will not follow, that a man ceases to have a right, because he cannot assert it by Law. And where there is a right in one, there must be an obligation lying upon some other.

SECTION XII. A Law requiring obedience to *another* Law, *virtually* exacts what is commanded by that Law. Thus obedience to *Parents* and civil Governors, as often as it is paid for conscience sake, is accepted by God as obedience to his Law, which hath made it our duty to be subject to those whom he hath placed over us.

x. *No Legislator*, and least of all the *infinitely wise God*, can be supposed to command things *inconsistent*. When therefore two Laws seemingly oppose one the other, that ought to have the preference for that time and place, which either in *itself*, or for that *time* is most reasonable and necessary. There is a Law regarding the observa-

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tion

nihil aliud sunt quam breves quædam positiones, quæ rem Forti disputatione definitam, & jureconsultorum consensu receptam, concise enarrant. Heineccii Antiquit. Romanar. Syntagma, pag. 62, 64.

tion of the *Sabbath*; another doing acts of *Mercy*: the practice of our Saviour, as well as the reason of the thing will instruct us, which of those two ought to take place, should they happen to interfere.

xi. The *reason* of a *Law* evidently *ceasing*, the *Law* itself *ceases* with it. This may be exemplified in the *Jewish* Law; which being designed partly as an *inclosure* of that people from the rest of the world, and partly as a *typical* resemblance of what was in due time to be accomplished in and by the *Messiah*; when the *Messiah* should be come, and a Religion instituted which destroyed all distinction between the nations of the earth, equally extending to all, must consequently lose its force, and bind no more. In like manner, the reason, (as ¹ learned men have demonstrated) of that decree of the *Apostles* against *eating things strangled and blood*, was this; that these things were at that time *occasions, parts, and signs* of *idolatry*, and highly offensive to the *Jews*. And to prevent these consequences, the giving unnecessary and just offence to the *Jews*, the falling back of the *Gentile converts* into Polytheism, and confirming *Pagans* in their superstition, was truly the reason of enacting this decree; which is the cause that they are called *necessary things*, being such as circumstances then were. This reason
does

¹ See *Spencer de Legibus Hebræor. Dissert. in Acts xv. 29.*

Chap. IV. *and the Distinctions of it.* 25

does now no longer subsist, and therefore neither does that decree, as to those parts of it, which have no other reason to support them.

Finally, A *subsequent Law*, which it is the will of the Legislator should be kept, any *former Law* notwithstanding, when it cannot be obeyed *consistently* with that Law, does in effect *repeal* it. Thus the *Jewish Religion* is *abrogated* by the *Christian*.

Consult on this Chapter.

Sanderfon de Lege Poenali.

Whitbii Ethic. Lib. I. Cap. V.

Noodts. Oper. de Partus Expositione.

Cap. X. *Heineccii* Antiq. Syntagma.

Clarke's Sermons, Vol. V. Serm. viii.

Grew's Cosmol. Sacra, Book III. Chap. vi.

Placete of Conscience, Book I. Chap. vii.

Wood's Institut. of the Imper. and Civil Law, Pref. and Introd.

Treatise of Law in general, subjoined to *Wood's* Institut.

Wollaston's Religion of nature, Sect. I, VII.

Sykes's Connexion of natural and revealed Religion, Chap. I, II.

— True Foundations of natural and revealed Religion asserted, pag. 6—30

Turnbull's Translation of *Heineccius*, &c.

Leland's Answer to *Tindal's* Christianity as old as the Creation.

CHAP.



CHAPTER V.

Of the Law of Nature, the Explanation and Proof of it.

SECTION I. **T**HE *Law of Nature*, as it is the *fundamental Law*, upon which all other Laws, whether *divine* or *human* are built, and the *great fountain of moral truths*, challenges a distinct consideration. This term is by some used in so comprehensive a sense, as to signify those *stated orders*, by which the *heavenly bodies*, and all the parts of the *material world*, are governed in their several motions and operations. But as there is need of a figure to stretch the expression to this latitude; so upon supposition the *established course* of things might be called a *Law*, it is rather a *Law to the first mover*, than to those things which are *purely passive* in their obedience to his almighty power. *Jus naturale*, saith * *Ulpian, est quod natura omnia animalia docuit, &c.* “*Natural Law is that which Nature hath taught all animals.* This
“ *Law*

* Digest. I. i. 1. See also *Selden de Jure Naturæ et Gent. secund. Hebr. Lib. I. Cap. iv, v. Grot. de Jure Belli et Pacis, Lib. I. Cap. i.* This definition saith bishop *Taylor* is also

Chap. V. *the Explication and Proof of it.* 27

“ Law is not peculiar to human kind, but
 “ common to all living creatures, to the
 “ *beasts* of the field, the *fishes* of the sea,
 “ and the *birds* of the air. Hence is the
 “ *conjunction* of the *sexes*, which we call
 “ *Matrimony*; hence the *birth* and *education*
 “ of *children*; for we see other animals,
 “ even the *wildest* of them to have the
 “ knowledge of this Law.” These things
 are indeed common to mankind with other
 creatures, being alike necessary for the con-
 servation of every species; but in them they
 are mere *Instincts*; in man under the *regula-*
tion of *Reason*. Nor even in human kind are
 these things *themselves* so properly the mat-
 ter of *Law*, being *natural appetites* and *pas-*
sions; as the *manner* of gratifying them, and
 the *submitting* them at all times to the empire
 of *reason*. And if there are in *beasts* other
 things which have a *resemblance* of human
 Virtues, they are but Μιμηματὰ τῆς ἀνθρωπίνης
 Ζωῆς, *imitators* of human Life, as ^b *Aristotle*
 calls them; something like *gratitude*, and
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also given by *Aquinas*, and many lawyers after *Justinian*,
 and almost all the Divines following *Aquinas*.

^b Histori. Animal.

* The *Annotator* on *Puffendorf. de Jure, &c. Lib. II. Cap. iii.*
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28 *Of the Law of Nature, PART II.*

‘ *Cicero* therefore says well; *Nulla re longius absumus a natura ferarum &c.* “ There is
 “ nothing in which we are more raised
 “ above the nature of beasts, to whom
 “ we often ascribe *courage*, as to *horses* and
 “ *lions*; but never *justice*, *equity*, or *goodness*:
 “ For they are destitute both of *reason* and
 “ *speech*.” It therefore follows, that of all
 the *visible* creation man alone is subject to
 the *Law of Nature*.

— *Venerabile soli*

Sortiti ingenium, divinatorumque capaces.

Juvenal. Satir. xv.

This natural piety did first refine
 Our wit and rais'd our thoughts to things
 divine. *Tate.*

SECTION II. Before we advance any further, it may be of use to distinguish between *Jus Naturæ*, and *Lex Naturæ*; and between the *primary*, and the *secondary* Law of Nature. By *Jus Naturæ*, or the *Right of Nature*, some understand an *unbounded licence* of action and of injoyment, *prior* to the *Law of Nature*; which I shall find a more proper place to expose, when I have proceeded further in this subject. I would however observe here, that ^d *Hobbes's* definition

They had sometimes the *Cause* of the *inhabitants* and *beasts* pleaded in form by *advocates*, who urged the reasons of both parties, before they proceeded to pronounce sentence.

^c *De Officiis*, Lib. I. Cap. xvii.

^d *De Cive*, Cap. I. Sect. vii.

Chap. V. *the Explication and Proof of it.* 29

tion of *Right* runs thus. *Juris nomine significatur Libertas quam quisque habet, facultatibus naturalibus secundum rectam rationem utendi.* "By right is meant the liberty which every one has to use his natural faculties according to *right reason*." If therefore there be *natural Rights*, there must in pursuance of this definition of Right be *natural Law*. For either it is possible for men in a *state of nature* to do what they have no right to do, or which is the same, to use their natural faculties otherwise than right reason directs; or it is not possible: If this be not possible, to what purpose is there any restriction added on the use of our natural faculties; which it seems if we would abuse we cannot? If the thing be possible, that men in a state of nature may use their natural faculties otherwise than reason directs, then it may be supposed to be *fact*; and as often as it is so, there will be a *fault* or *offence* committed, and every offence is against some Law. All that can be replied is, that whoever employs his faculties in doing actions conducive to self-preservation, uses them according to right reason, and that in a state of nature every man must judge for himself what is necessary to this end. Allowing this, yet a person may be *mistaken*, and that *faultily*, in his judgment concerning this matter; in which case *his* cannot be said to be *right reason*. Or he
may

80 *Of the Law of Nature, PART II.*
may do things detrimental to others; not for that he reckons them *necessary* to his own preservation, but to gratify an inordinate appetite. And acting thus is it not plain, that he acts *without right*, and therefore *against Law*? But to return, by the *Right of nature* I intend with many others, a *Right cotemporary* with the *Law of Nature*; and not only *favoured*, but in part *introduced* by it. This *Right of nature* may be considered in a *state of nature*, and then it implies a *permission* of doing many things, which are become *unlawful* since human *Government* was instituted; as recovering ones right *by force*, punishing an injury *at discretion*, and the like. Or this *Right of nature* may be considered in *society*, and then it signifies such *natural privileges* as remain after all the limitations of human Laws, and of which a man can *never divest himself*, nor be divested by others: As a right to *liberty*, to *self-defense*, and the like.

SECTION III. The *law of nature* not only *warrants* a thing, but *requires* it. This is either *primary*, or *secondary*. The law of nature in a *secondary* and less proper sense, extends to matters of mere *decency*, and these of the *lower* kind; which I add, because *Virtue* itself is the *highest* decency.
• *Per abusum ea quæ ratio honesta, aut*
oppo-

• Grotii De Jure Belli et Pacis, Lib. I. Cap. i. Sect. 10.

Chap. V. *the Explication and Proof of it.* 31
oppositis meliora esse indicat, etsi non debita ;
solent dici juris naturalis. “ There are ma-
 “ ny things consentaneous to order and de-
 “ corum, and better than their contraries,
 “ which are not strictly necessary.” Thus
 says^f Dr. *Whitby*, “ it is agreeable to the in-
 “ tention of nature, that the night should be
 “ devoted to sleep, that the mother should
 “ suckle her child ;” and in the same sense
 the Doctor, after *Grotius*, apprehends those
 words of the *Apostle*, 1 Cor. xi. 13, 14. to
 have been meant. Does not even nature it-
 self teach you, that if a man have long hair,
 it is a shame unto him? But if a woman have
 long hair, it is a glory to her : for her hair
 is given her for a covering. This may be
 called the Law of decency ; but it is of the
 primary Law of nature, not of this, that I
 am treating.

SECTION IV. This I chuse to define after
 the following manner. The Law of nature
 is the Will of God relating to human actions,
 grounded in the moral differences of things :
 and because discoverable by natural light,
 obligatory upon all mankind. It is thus de-
 fined by ^g *Cicero*, *Lex est ratio summa insita*
in natura, quæ jubet ea quæ facienda sunt,
prohibetque contraria. Of its appellation
 there may be this account given. 1. It is
 called

^f *Ethic. Lib. I. Cap. vi. Sect. 1.*

^g *Cicero. De Legibus, Lib. I.*

called the *Law of nature* because of the *manner* of its promulgation, which is by *natural Reason*. 2. Because of its source or foundation, this Law resulting from the respective natures of beings and things ; of beings, as God and men ; and of things or actions, as morally good or evil, and having different *physical* effects. 3. Because it is the *Law of God*. Nature is but a ^b *fictitious* person, and all that is said of the wisdom of her designs and operations, of her power, or of her Laws, is to be ascribed to him who is the *Author* of Nature : *Natura naturans* in the barbarous style of the *Schools*, the God from whom if not the *Essences*, yet the *Existences* of all things are derived. “ The “ *Law or Religion of Nature*, is so called, “ says the judiciousⁱ bishop *Conybeare*, ei- “ ther because it is founded in the reason “ and nature of things ; or else because it is “ discovered to us in the use and exercise of “ those faculties which we enjoy. The “ religion of nature, as it is considered in “ these different views will import quite “ different things. In the former it signifies “ a *perfect* collection of all those moral “ doctrines and precepts which have a “ foundation in the nature and reason of “ things ;

^b The *Stoics* often made use of the word *Nature* as another name for *God*. Quid enim est aliud *Natura* quam *Deus* & divina *Ratio*, toti mundo, & partibus ejus inserta ? *Senec. de Beneficiis*, Lib. IV. Cap. vii.

ⁱ *Defense of Revealed Religion*, Page 11, &c.

Chap. V. *the Explication and Proof of it.* 33

“ things ; but in the latter it is such a col-
“ lection as may be discovered by *us* in the
“ exercise of our proper faculties, accord-
“ ing to the means and opportunities we in-
“ joy”

SECTION V. The *Demonstration* of the
Law of nature hath been attempted by several learned men, who commonly urge the *consent* of the more *civilized nations*, as a good argument of this Law. *Omni autem in re consensu omnium gentium lex naturæ putanda est*, says ^k *Cicero*. “ As to any point,
“ the agreement of all nations in it, is to be
“ esteemed a Law of Nature.” This I acknowledge to be a large step towards the proof of a natural Law, but will not advance us to *demonstration* ; because notwithstanding their *agreement* in their practice of some things for their *general usefulness* and *evident necessity* ; they might not be introduced by the authority of a supreme Legislator obliging them to the practice ; which yet must be made appear, before the proof from universal consent will be complete. Others for the proof of the *Law of nature* have had recourse to *innate ideas* or *practical principles impressed* on the *soul* of man by its Creator. This is not *proving*, but *begging* the thing in question ; and as a good ^l *Author*

VOL. II. D

^k Tusculan. Quæst. Lib. I. Cap. xv.

^l *Titii in Puffendorf, Observat. lxxxiv.*

34 *Of the Law of Nature, PART II.*

thor says truly; " should we admit these
 " innate notions (understanding it in the
 " proper sense) it would make way for men
 " of little reason, and a great deal of leisure,
 " under this pretense to vent the dreams of
 " a sickly mind for the dictates of nature."

SECTION VI. In the entrance to my argument, I shall lay it down as a *Postulatum*, that *there is a God, a supreme and most perfect Being, and the fountain of Being and Perfection to the universe.* ^m *For the invisible things of God from the creation of the world are clearly seen, being understood by the things that are made.* This premised, I shall

i. Endeavour the *proof* of a *Law of nature à priori*, from the consideration both of the *divine* and *human* nature; which two beheld in *one view*, and in the *relation* they bear to each other, will supply us with *demonstrative* evidence of this truth. The *nature* of *man* is such, that he is *capable* of *moral government*, having both *Reason*, and *Liberty* of action; and it is also most agreeable to his nature as a *created dependent* Being, that he should be so governed. And *God* is *infinitely wise* to know what is *most fit* and *proper* to be done, and to prescribe a *Law* which shall exactly suit the nature and necessities of mankind; he has *authority* to constitute such *Laws* as he shall think best; he

^m Rom. i. 20.

Chap. V. *the Explication and Proof of it* 35

he is *omniscient* to know when his Laws are *observed*, or *broken*; *just* and *good* to *approve* or *resent* the behaviour of his creatures; and *almighty* to *reward* or *punish*. This argument receives further confirmation from hence, that God *actually presides* over the *natural* world, and by his wise Providence maintains an *admirable order and regularity* in its several motions; and can it be thought that God is *negligent* or *regardless* of the *moral* world, and has appointed it no bounds or measures? That when there is so universal a *harmony* in the operations of *inanimate* Beings, nothing like it is expected in the actions of *reasonable agents* by that God, who hath made them capable of acting *wisely* as well as *freely*? By the *consent* among the parts of the corporeal system, and their *mutual subserviency* to one end, even the *benefit* of the universe, it may be seen that God is a lover of *order*; and certainly order is not *less necessary*, or *less beautiful* among *intelligent* Beings. It cannot be supposed, that *inferior* things should be taken care of, and the *most excellent* abandoned by the Creator.

SECTION VII. ii. I shall try whether the *Law of nature* may not be *demonstrated* by an argument *partly à priori*, and *partly à posteriori*; and sum up the force of the demonstration in these two general *propositions*.

D 2

i. Their

i. There is a *natural and essential difference* between *Virtue* and *Vice*, and those several actions and dispositions which are denoted by these two opposite terms.

ii. *Natural Reason* discovers it to be the *Will of God* in this case, that every man should look upon this *difference* in the nature of things and actions, as a *Law* or *Rule*, which he is always religiously to observe, under *pain* of his *Maker's displeasure*.

SECTION VIII. i. There is a *natural and essential difference* between *Virtue* and *Vice*, and those several actions and dispositions which are denoted by these two opposite terms. For,

I. Upon a *survey* of ⁿ *human nature* it will appear, that some actions are *universally conformable* thereto, and others *disconformable*. Man is *φιλαυλος*, a *Lover of himself*; (I take not the word in the *ill* sense that is commonly affixed to it, in which it denotes the *excess* of a *natural* passion; but as it signifies a desire of *uncorrupted* nature of its own preservation, happiness, and perfection) no man can be indifferent to his own welfare, nor to what appears to promote or hinder it. Again, Man is *ζωον λογικον*, a *reasonable Being*, and his *Reason*, as it makes him capable

ⁿ For the agreeableness of *Virtue* to human nature, and the disagreeableness of *Vice*, See *Cicero*. *De Offic.* Lib. III. Cap. v, vi.

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ble of *receiving Law* from his *Maker*, so of *giving Law* to his appetites and passions. Appetite cannot *force* a man to act contrary to his reason ; but with the assistance of his reason a man may *over-rule* and *deny* his appetite. Appetite can only judge of the *present* pleasure of an action ; Reason can form an estimate of it upon the *whole issue and result*. This shews that Nature hath placed the *government* in *reason*, and that it is most *natural* for every man to act according to his reason. Yet *again*, *Man*, as the antient *Greeks* described him, is Ζῶον κοινωνικόν, καὶ πολιτικόν, a *communicative*, and a *social* Being: His *inclinations* carry him into *society*. Here and there you may find a *Misanthrope*, a hater of his own kind ; not *born* so, but *soured* by injuries, or contempt, real or imaginary. To one man who loves perfect solitude, there are thousands to whom it would be little better than death. Man also *needs* *society*, not only in his *infant state*, when he would be utterly helpless without it, but after he is grown up. Nothing can be conceived more forlorn and wretched than human life, destitute of all foreign helps. A man in such a state must *fear* every thing and *want* every thing. And then man is *fitted* for *society*. ° *Est enim primum quod cernitur, &c.* “ *Sociableness* is one of the first principles of human nature, and is observable

in
D 3
? *Cicero*. De Officiis, Lib. I. Cap. xvi.

“ in all mankind ; the great band that unites
“ men in society is reason and speech :
“ Which by teaching, learning, commu-
“ nicating, debating, judging, engages men
“ to one another, and forms them into a
“ natural union.” Every one either does,
or may, in some way of life or other, con-
tribute to the common good. And then as
man naturally *needs* society and is *fitted* for
it, so he as naturally *delights* in it ; delights
in it, not merely because it is a *remedy* for
his *necessities*, but because the *society* of his
fellows, (meaning of the same species) and
their happiness, as suited to the natural prin-
ciple of *Benevolence* are naturally fitted to
afford him pleasure ; as well as in the grati-
fications of his *moral sense*, approving the
kind actions of *others*, or approving *himself*
when he *desires*, *endeavours*, or promotes their
well-being. And indeed it is not so much in
their love of society from a prospect of the
advantage which they receive by it, that man-
kind excel the dumb part of the creation,
and are denominated sociable creatures ; as
in their natural disposition and inclination to
seek each others happiness and to *rejoice* in it.
By this excellent principle men are linked to-
gether, as well as by self-love ; and inclined
to pursue the common good, not only as their
own is connected with it, and depends upon
it, which is *self-love* ; but from a more
disinterested motive, which makes them
pleased

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pleased to do good for *their* sake to whom
they do it.

SECTION IX. It is indeed an old Proverb,
Homo homini Lupus, "One Man is a *Wolf*
"to another;" but there is another more
antient than this, *Homo homini Deus*, One
"Man, for kindness and assistance, is as a
"God to another." This latter expresses
what man by *nature* is *disposed* to be; the
former what too many men are one to ano-
ther through a *corruption* of their nature,
and the *contagion* of *bad example*. Such are
not so truly *specimens* and *examples* of hu-
man nature, as *errors* and *deviations* from
it; the same in the *moral* world, as *monsters*
are in the *natural*. And indeed it has been
the sense of all ages, (a few declared enemies
to religion excepted,) that *society* was the
most natural state of man; and it might
have continued so, had not our countryman
Mr. *Hobbes* been pleased to instruct the
world better, and to inform us; that a *state*
of nature is a state of war^p. *Status hominum*
naturalis est bellum; neque hoc simpliciter, sed
bellum omnium in omnes: "Not merely of
"war; but a war of every one against every
"one." According to this, *Ishmael's* charac-
ter^q, that his hand should be against every
man, and every man's hand against him, is
D 4 the

^p De Cive, Cap. i.

^q Gen. xvi. 12.

the *natural* character of *all* mankind. And yet methinks I am not willing to believe so ill of myself, and of my fellow creatures, as this comes to. It is observed of the *Scorpion* that he affords a cure for his own poison; and thus, very happily, by laying two passages of Mr. *Hobbes* together, we may expel the whole venom of his notion. ^r *Quærendam esse pacem rectæ rationis dictamen est*; the other is, ^s *Recta ratio cum non minus sit pars naturæ humanæ, quam quælibet alia facultas, vel affectus animi, naturalis quoque dicitur*. “It is a dictate of *right reason*, “that we should *seek peace*.” “And since “*right reason* is no less a *part* of *human nature* than any other faculty, or affection of “mind, it is justly stiled *natural*,” ^t Elsewhere indeed he confines nature to those animal affections of *fear*, *desire*, *anger*, and the like, which are born with us; how to reconcile this difference let his admirers try; for to them I leave it. Well then, if *Reason* be *nature*, and *Peace* be the *dictate* of Reason, then surely the *state of nature* is a *state of peace*, not of *war*.

SECTION X. It might be so, Mr. *Hobbes* would say, but here is the misery, ^u “All
“men

^r De Cive, Lib. III. Cap. i.

^s Ibid. Cap. ii.

^t Ibid. in Præfat.

^u Ibid. Cap. i.

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“ men are *equal*, being *equally capable* of
“ doing one another a *mischief*.” And by
the same means are they not *equally capable*
of being beneficial one to another? And is
not this the *most reasonable*, that is, the *most*
natural way of employing their abilities? Bishop * *Cumberland* I am sure, by various
instances, has excellently well shewn, that
this *equilibrium* of mankind suggests to all
strong arguments, why they should *help*,
and not *hurt* each other. “ But nature, says
“ Mr. *Hobbes*, hath given to *every man* a right
“ to *all things*; and what must be the natu-
“ ral consequence of the same things being
“ granted to every man, but strife and con-
tention.” To this I answer,

1. There can be no such right, y “ since
“ nature, by setting *bounds* to the *capacities*
“ of our appetites and injoyments, hereby
“ plainly determines the limits of our *rights*,
“ without setting them forth by any other
“ lines and descriptions.” Nature can ne-
ver be supposed to have given any one *right*
to possess more, than it has given him *power*
to injoy.

2. And then supposing this *self-incon-*
sistent right in *every man* to *all things*, yet
forasmuch as it can never be put in execu-
tion, Reason, that is, Nature, directs mankind

* De Legibus Naturæ, Cap. II Sect. xxix.

y *Parker's* Demonstrat. of the Law of Nature, pag. 35.
See also Bishop *Cumberland* De Legibus, Cap. II, Sect. xvii.

to *share* things among them, after the most friendly manner they are able. In short, the *Malmesbury Philosopher* took much the same method to make *peace* among mankind, as *Des Cartes* to put us in a way of finding out *truth*. In order to be *certain* of *something*, *Des Cartes* would first have us *doubt* of *every thing*; and so Mr. *Hobbes* sets the *world* together by the ears, that he may have an opportunity to shew his art in bringing them to treat of *peace*. Both of them lead us a great way round about, only to bring us at last to the very same place, where they first found us. * *Horace* gives much the same account of the state of nature.

*Quum prorepserunt primis animalia terris,
Mutum & turpe pecus, glandem atque cubilia
propter,
Unguibus & pugnis, dein fustibus atque ita porro
Pugnabant armis, quæ post fabricaverat usus;
&c.*

And *Ovid* the same in his *Fable* of the *Serpents*. *Metamorph.* Book I.

Teeth sown by *Cadmus*, and shooting up into Men.

But then though this account of things, wherein a state of war precedes that of peace,

* Lib. I. Satir. iii. vers. 99—102.

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peace, and society is not so very disagreeable to the scheme which represents men springing at first like *Mushrooms* out of the earth; it is perfectly unreasonable in those, who suppose men to have had a *Creator*. Upon this supposition * *Juvenal's* account of the original of *Society*, who derived it from *Nature*, is by far more reasonable, as well as honourable to our *Species*.

— *Mollissima corda*

Humano generi dare se natura fatetur.

Quæ lacrymas dedit, hæc nostri pars optima sensus

Principio indulsit communis conditor illis

Tantum animas, nobis animum quoque, mutuus ut nos

Affectus petere auxilium & præstare juberet, &c.

And even supposing the *Epicurean* account of the *origin* of mankind *true*, there is no reason to think, that mankind as soon as they met, would be in a *hostile* disposition towards each other. The *first* passion upon their meeting would be *astonishment*, after which would follow *curiosity* to be better acquainted with each other; after which, finding a *mutual resemblance*, there would succeed *mutual love* and *liking*: and neither being *conscious* to any inclination in himself to *hurt* the other, neither would be *suspicious* of any harm from the other. For all
fear

* Satir. xv. ad fin.

fear and suspicion must arise from *experience*; either of *evil inclinations* and *designs* in *one's self* (which I do not believe are properly natural in any one) or of *injuries* received from *others*; which as yet are supposed not to have happened. Indeed after this, as soon as they came to have a mind to the *same* thing, *self-love*, if men did not exercise their Reason, leading every man to prefer his own interest, would be the occasion of *contentions*, and these of *wrongs*, and these of mutual *fears* and *jealousies*. But all that this proves is, not a *want* of natural benevolence in mankind; not that fear and envy, and malice, are *prior* to the contrary passions; but the *narrowness* of *worldly* enjoyments, and the *superior* strength of *self-love*, as an *instinct* above *instinctive benevolence*.

SECTION XI. Further, Man is Ζων Φιλο-
καλον, και Φιλοκοσμον, a lover of *beauty*, *proportion* and *decorum*. This affection exerts itself in all, as soon as the *necessaries* of life are secured; and in them who are possessed of a *nicer taste*, or improved by a *polite* education, this regard to symmetry and proportion is still *more visible*. So that although their *moral* characters are often none of the best, yet would they be reckoned amongst the *elegant* part of mankind, and study a *refinement* in their *manners* and *pleasures*, and a *beauty* and *propriety* in their *persons*, their
dress

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dress and their *apartments*. They seek after the *works of art*, and the *productions of wit*; and perceive in these a charm and agreeableness, which nothing but their conformity to certain rules can produce. Now if *Virtue* be a *beauty of the highest kind*, then as such it must be suitable to the nature of man; and for a proof that it is so, we may appeal to any considerate person. For what is *Virtue*, but the *steady order of the faculties*, the *exact temperature of the passions*, the *constant harmony of the life*, the most proper position of the several Beings, and *subordination among the several parts of the intellectual universe*: Which, if it prevailed over our moral system, would to a contemplative mind afford a more ravishing scene, than the *earth with all its beauty and variety*, and the *heavens with the wonderful adjustment, complication and regularity of their motions* can yield. It is this *fitness, this decorum of Virtue*, which constitutes what we call its *moral goodness*; not merely its tendency, as a *means*, to promote the *natural good of perceptive Beings*; which is the low notion that some have given of it. *Temperance* is on many accounts for the *interest of the individual*; but is this the most we can say of it?

^b Is there not a *beauty, a proportion, an unity,*

^b It is well observed by the Earl of *Shaftesbury*, *Miscellaneous Reflexions*, Vol. III. pag. 180. "That the same
" shapes

unity, in well-governed *affections*, and *appetites* obedient to Reason? Justice, benevolence, and generosity, are the *security* and *happiness* of families, and of society: but is this all? Do they not further *beautify* society, make a private person a most *lovely* sight, and prevailing through a community compose a beauty of the most striking kind; and produce the most exact situation of intelligent Beings with regard to each other? The *worship* and *veneration* of the *Deity* intitle the worshipper to his *favour*; but considering the *dependence* of created beings upon their Author, and the *relation* which his perfections and works bear to their *faculties*; would not the with-holding worship and obedience be a violation of *order*, and cast a blemish upon the admirable structure of the moral world? “ I have given you,
 “ says *Cicero* to his son, a sketch of what
 “ I may call the form and countenance of
 “ Virtue; which, as *Plato* says, could it
 “ be made visible to the eye would excite
 “ a

“ shapes and proportions which make *beauty*, afford advantage, by adapting to activity and use.” And so *Cicero de Offic. Lib. I. Cap. xxvii. Ut venustas & pulchritudo corporis &c.*
 “ As the *beauty* and *fine complexion* of the body cannot be separated from its *health*; so this *decorum* of which we are
 “ speaking, runs through Virtue, yet is distinguishable by
 “ the mind.” The *utile* and the *honestum* are inseparable by the constitution of things, yet *distinguishable* by the mind, as much as *beauty* is from *health*, or the *exact proportion* of a body from its *activity* and *use*.

* *De Officiis, Lib. I. Cap. xlviii.*

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“ a strong affection.” *Vice*, on the contrary, can never *delight* in its *abstract idea*, though as it helps to gratify a particular inclination it may; that is, as a *means* to pleasure, not as *Vice*. Under this consideration it disgusts the minds of those, who are intoxicated by its sensual allurements. A demonstration of this is men’s readiness to condemn a vice with which they suppose themselves not to be chargeable; nay, often to *blame* that in *another* which they themselves practise. And that their minds, conscious to the baseness of what they do, may not fall upon them for it, they endeavour to gild over their own vices, and by giving them new names to persuade themselves if possible, that they are the Virtues to which they bear any little resemblance. Let me conclude this head with observing, that this *affection* for *beauty*, if we followed its natural tendency, would lead us to the *knowledge* and *love* of the *Deity*; for as the *chief gratifications* of it are found in the *works of Nature*, and all beauty supposes design and wisdom in the author of it, and his providing such an inexhaustible variety of beautiful objects for our entertainment, proves him greatly benevolent; we cannot, if we would pursue the dictates of a rational and grateful mind, but *admire* his *wisdom*, and *love* his *goodness*; which are considerable instances of true religion. Therefore,

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SECTION XII. *Finally, Man is a creature formed for Religion,* ^a Ζῶον το θεοσεβές; is dependent on a supreme Being, capable of knowing on whom he depends, and has a natural awe of his *Creator* impressed on his mind. He naturally admires the *grandeur, beauty, and use*, that abound all over the world which he inhabits; he has a natural curiosity to prompt him to *inquire* after the *cause*, and has *reason* to discover to him a supreme all-perfect mind as the *only adequate cause* of this *infinity* of beauty and good: his passions of veneration, gratitude, fear and hope, naturally terminate in this Being as the only object *equal* to them; and his *natural apprehensions* of *eternity* strongly *excite* him to secure by goodness and piety the favour of that *almighty and eternal Being*, who alone can make him happy during that everlasting state of which he is apprehensive. And now laying all these properties together, *self-love, reason, a social disposition and benevolent affections*, a strong *sense* and *love* of *beauty*, a natural *dependence* on a *supreme Being*, and a natural *awe* of him, &c. we have an *idea* of *human nature*; and from this idea of human nature, the *natural difference* between *Virtue* and *Vice* appears at first

^a Plato in *Timæo*, who also terms man Ζῶον θεοσεβές. To this agree Ovid's *sanctius his animal*, and the *divinorumque capaces* of *Juvenal*. Satir. xv.

first sight. What is more *agreeable* to human nature than the *first*? What more *repugnant* than the *latter*? Industry and temperance are adapted to the nature of man, as he is *desirous* of his *own happiness*; justice and benevolence as he is a creature *formed for society*; the worship of God, gratitude, reverence and trust, as it is one part of his *character* to be *religious*: and *all* these, as he is *reasonable*. Yea, besides that more peculiar and immediate conformity which these Virtues have *separately* to human nature, considered in its diverse respects; *each* of them has a *more extensive* and *general* influence. Thus sobriety and diligence, at the same time that they are instrumental to a man's *private* happiness, render him more *useful* to *society*, more *capable* of *Religion*, and *acceptable* to *God*. At the same time that justice and benevolence have a more *special* relation to *others*, they are a *security* to a *man's self*; and procure him the *best* of all pleasures, *tranquility*, and *satisfaction* of mind; together with the *favour* and *approbation* of *God*. Thus, finally, the *worship* of a Deity is at once a *debt* to our Maker, the great *support* and noblest *entertainment* of the mind; and the most *indissoluble band* of society. So manifest is the necessity of Religion to uphold the good order of society, that some men of a perverse turn of thought have inferred, * *Totam de*

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Dii

Diis immortalibus opinionem, &c. “ That
 “ the belief and worship of the immortal
 “ Gods were wholly a fiction of wise men
 “ for the good of the public ; that the *awe*
 “ of Religion might *impel* those to do their
 “ duty, whom reason could not persuade”

SECTION XIII. But the *necessity* of these virtues to human happiness, whether private or social, is by no way made so sensible, as by a *supposition* of the *contrary* ; that all mankind should become intemperate, idle, unjust, perfidious, cruel, profane. How could the world bear its inhabitants, if they were all of this complexion ! Was every man as slothful and intemperate as some men are, it would be the destruction of the whole kind. Without justice and the sense of a Deity, there would be no society ; or what was even worse than none. This made ^f *Cicero* say of justice, *Cujus tanta vis est, ut nec illi quidam qui maleficio & scelere pascuntur, possint sine ulla particula justitiæ vivere.* “ Without some
 “ particle of justice, robbers and pirates
 “ would not be able to maintain their confederacies.” If they had a mind to continue together they must be just to one another, though they have declared war, and practise violence and treachery against the whole world besides.

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^f De Offic. Lib. II, Cap. xi.

SECTION XIV. Abstracting from this particular consideration of human nature, and the influence which Religion and Virtue have upon its several *interests*, there is an *intrinsic amiableness* and *excellency* in these things; and an *inseparable turpitude* in the contrary. Virtue is not only a *bonum utile*, but *honestum*; good not only because *profitable*; but, because of its *native excellence*; its inseparable beauty and lustre. “And there
“are some things, says ^s Cicero, so foul, so
“flagitious, that a good man will not do
“them, though to save the commonwealth.” But then, as he adds admirably well, “It
“is so well ordered, that affairs can never
“be in such a situation, as to make it salu-
“tary to the commonwealth, for a wise
“and good man to practise them.” Who does not think it a *better character*, to be of a just, merciful, grateful, benevolent disposition; than, on the contrary, unjust, cruel, ungrateful, ungenerous? The *fruits* of Virtue are of *two* sorts; the *external interests* of mankind, and *inward strength* and *peace*. The *first* argue Virtue to be of a nature *beneficial* to mankind; but, then, this does not constitute its *formal* nature: for, independently of interest, it is better to be grateful, and honest, than otherwise. They who resolve the *virtue* of every action into its *utility*,

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do a very *needless* thing, when they set themselves to prove that Virtue is for the interest and happiness of mankind. Who can doubt it upon this notion of Virtue? If Virtue consists in the profitable of actions, then it is plain, that all Virtue is profitable; since if it was unprofitable, it could not be virtue. The *other* fruits of Virtue prove, that it is in itself a ^h *beautiful*, and a *decorous* thing. For hence is that satisfaction which is the *immediate* and *necessary* result of *virtuous* qualities of mind, and a *regular* course of life. Hence is that perfect and eternal *complacency* of the *divine* Being in his *goodness*, *justice*, and *truth*. For were not these in themselves very great perfections, he who is under no Law, and has no dependence upon any one, would have no reason to reproach himself, though he were tyrannical and unfaithful: since the *obligation*, *necessity*, or *fitness*, that he should be otherwise, can arise only from their reconcilable differences, in the nature of these things.

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^h There is a *threefold order*: of the *faculties*; of *life*; to which may be applied those words of *Pliny*, though otherwise meant by him, *Me autem ut certus siderum cursus, ita vita hominum disposita delectat*. Epistol. Lib. III. Epistol. i. and those of *Horace*, Epistol. Lib. II. Epistol. ii. vers. 143, 4.

*Ac non verba sequi fidibus modulanda latinis:
Sed, veræ numerosque modosque ediscere vitæ.*

and of *beings*.

SECTION XV. ii. The other *proposition*, and which compleats the demonstration, is this; that *natural Reason* discovers it to be the *will of God*, that *every man* should look upon this *difference* in the *nature of things*, as a *Law or Rule*; which he is always religiously to observe, under *pain* of his Maker's *displeasure*. The truth of which proposition is evidenced by several considerations.

i. *God* who is *infinitely good* cannot but will the *perfection* and *happiness* of his creatures: and, he, who wills the *end*, wills the *means*: and, it has been before proved, that the *happiness* of man, whether *alone* or in *society*, depends upon *Virtue*, as the necessary *means* to its attainment.

ii. He, who has given *existence* to Beings, must, if he be *wise*, and sees no reason to depart from his original purpose, will their *preservation*. *God* is infinite in wisdom; he is likewise the creator of man; and has so formed him, as to put it beyond all dispute, that he designed him for society. Whatever therefore tends to the preservation of life, and the support and improvement of society, must be the object of the divine approbation: and, the contrary repugnant hereunto. For he cannot be supposed to create a reasonable being, and then leave the being at his liberty, by his own foolish and irregular conduct, to destroy himself. He

cannot be conceived to have instituted society, and laid the members of it under no obligation to the practice of those virtues, which would make society flourish: or, to avoid those licentious actions, which would overturn the very foundations of it.

SECTION XVI. iii. God has designed the *nature of things*, as an *interpretation* of his will; so that if from the nature of things it may be demonstrated, that some actions are fit to be done, and others forborn; the doing or forbearing of those actions, is manifestly the object of the divine will. The reason is, that he is the author and parent of *nature*. The *Egyptians* had an *hieroglyphical* language, and conveyed their noblest sentiments in symbols. There was some foundation for this language in the nature of animals and other things: but the *meaning* of causes *universally* producing the *same* effects, is much more certain. “Whatever
 “ true proposition, saith a judiciousⁱ writer, indicates this, or that, as *proper* to be
 “ done, is an indication from God that it
 “ ought to be done. Nor is it more certain, that natural things were made by
 “ God to produce their natural effects; as
 “ the sun to illuminate the air, the rain to
 “ moisten the earth, and the like; than that
 “ propositions which naturally direct our
 “ actions,

ⁱ *Cumberland de Legibus Naturæ, Cap. V. Sect. i.*

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“ actions, were given us by God to serve as
“ rules of conduct: for this is the only
“ thing they are good for, namely, to direct ;
“ and this they do necessarily from their
“ own intrinsic nature.” And that such
propositions are true cannot be doubted ;
“ it being certain, as this author observed
“ just before, that none but true proposi-
“ tions, whether speculative or practical,
“ can be *impressed* on our minds by the *na-*
“ *ture* of things: since natural actions in-
“ dicate that only which exists, and are
“ the causes of that alone, wherein there is
“ nothing of falsehood. For as to falsehood
“ in propositions, it proceeds wholly from
“ a voluntary rashness ; by which we are led
“ to join or separate notions, which nature
“ has not joined or separated. If therefore
“ the terms are naturally connected, the
“ proposition affirmed of them must needs
“ be true. And such a connexion there is,
“ when from the same thing differently
“ considered, or compared with other
“ things, its different conceptions (*concep-*
“ *tus*) commonly indeed inadequate, are
“ suggested to the mind. And from this it
“ is easy to judge of negative propositions
“ when they are true.” Consult also what
the same Author says, Cap. II. Sect. x.
Tanti momenti videtur, &c.

SECTION XVII. iv. The *essential rectitude* of the *divine* nature is an incontestable proof of the same truth. God by a necessity of nature is *just*, and *good*, and *merciful*, and *true*; in the highest degree of perfection: and the necessity that he himself should be all this, makes it necessary that he should *will* all other Beings to be *like* him herein; who are capable of such a resemblance. For why is God *holy*, *just*, and *merciful*, but because it is *best* to be so, and God cannot but be, and do what is best? And is it not in the nature of things *better*, that *man* should have these qualities, than be without them? and, consequently altogether reasonable that he should labour to possess them? And must not the choice and practice of what is reasonable and fit, please God in *his creatures*, as well as in *himself*? It is impossible therefore that God should put out of his forming hand a reasonable creature, in his original constitution void of all traces of these perfections: or, that having created a being with a disposition to act regularly, and a capacity of so acting, he should not will his endeavouring to continue in a state of integrity; or being fallen, his endeavouring to recover his lost innocence; and in order to that, his doing whatever he was under an obligation to do before his defection, and has since retained a power to do.

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SECTION XVIII. v. The *will of God* in this matter appears with further evidence, from the *cautionary provision* he hath made, to *secure* the observation of what is dictated by right reason. As by planting several *instincts* and *passions* in the soul of man, subservient to his duty, and disposing him to practise it: as the natural *love* of parents to their off-spring, the Passion of *pity*, a proneness to *self-esteem*, the *desire* of a good name; and the *secret dread* of a superintending Deity. *Parents* by their natural affection, and pursuing its dictates in a kind and tender behaviour to their children, will be more disposed to follow the dictates of a *general* benevolence and compassion in their treatment of others; and be insensibly carried to be civil and obliging to them, who in their turn may be able to repay their kindnesses to their children. And the children having for so long a time experienced the greatest tenderness from their parents, and those about them by their direction, will have their dispositions more softened, and by education as well as nature be taught humanity. The helpless state in which the first years of life are past, does further hint the reasonableness of *bazarding* this *life* when we are grown up for the *public* safety.

“ For, saith an excellent ^k Author, during
“ our

^k *Cumberland de Legibus Naturæ, Prolegom. Sect. xxi.*

“ our tender age we intirely depend upon
 “ the obedience which *others* yield to oeco-
 “ nomical precepts, civil laws, and those
 “ of religion. Hence it comes that if we
 “ afterward expose our lives to danger ;
 “ yea, if we lay them down for the pub-
 “ lic good, we *lose less* for its sake than
 “ we have already *received* from it. We
 “ only lose the uncertain hope of future en-
 “ joyments, should we have lived ; yea, ra-
 “ ther it is certain, there can be little hope
 “ left for particular persons, when the com-
 “ mon good is trampled on. Whereas
 “ from thence we have received the actual
 “ possession of life, and of all those perfec-
 “ tions which adorn it.” The *pitiful* will
 not be likely to put those into a state of mi-
 sery, whom they should be uneasy to be-
 hold miserable. A proneness to *self-esteem* is
 another thing subservient to virtue. Every
 man would esteem himself ; but it is impos-
 sible he should have any ground for doing
 so, if he be not virtuous. Virtue therefore
 being the only just foundation of self-esteem,
 is what this inclination to esteem one’s self,
 prompts every man to endeavour after. A
 regard to the *outward* behaviour may secure
 the esteem of *other* men ; but not *our own* :
 which shews the wisdom of the Creator ;
 who to make us concerned that our external
 behaviour be good hath made it natural to
 desire the esteem of other men : and that we
 might

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might not rest in a bare outside of virtue, hath planted this other passion for self-esteem; which is not to be satisfied, but by a real inward-principle of goodness. A man can never be *easy* and *pleased* with himself, who *knows* himself to be a *knave*. All who *value* their reputation will have some regard to their behaviour; and not do things, which would bring an indelible blot upon them; and mark them for the worst of men. And, because a man inwardly vicious, must desire to appear virtuous; he will hence be excited to labour after the truth of virtue; that he may be able with ease, and without danger of detection, to preserve the outward appearance. The *fear* of a Deity is a considerable *restraint*; and takes hold of men where human laws can signify little.

SECTION XIX. vi. Again, God hath shewn it to be his will, that men should practise virtue, by so *forming the mind*, that *propositions* containing the *principal* duties of morality are no sooner understood, but *assented* to, even by persons not capable of exact reasoning; as *children* and others, whose understanding is much of the same size as theirs: and by those, who though they have reason are not well accustomed to use it. Yea, we find that it is by a kind of *anticipation*, that a great part of mankind have the knowledge of moral truth; for how seldom
do

do they reason upon them, and yet how readily do they agree to such assertions as these? that we are to *honour* our *parents*, to *love* our *benefactors*, to *make good* our *promises*, and that they who do these things deserve the esteem of mankind, beyond others who neglect them. And *lastly*, by the *guard* of natural conscience, by the *satisfaction* or *dissatisfaction* consequent upon *good* or *evil* actions. It will not destroy this proof to attribute these to education; for besides, that they are found in many who never had a tolerable education; these early prepossessions can never be the *total* cause of such effects. Were it all prejudice of education it would follow, that should parents and magistrates join together; magistrates to establish iniquity by a law, and parents to bring up their children in a belief that the law of the magistrate was the Law of nature; men would be *terrified* by their *consciences* as often as they should be *temperate* or *grateful*; feel a most exquisite *pleasure*, when they had been guilty of *drunkenness*, or *betrayed* a friend, and the like. Nor can we account for it by the *different nature* of actions, unless we further suppose something of the *finger of God* in it too. Some, from the *confidence* and *joy* which are bred by a good life, have thought themselves authorised to establish Virtue as the *Summum Bonum* of man; and some not able to
bear

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bear the *lashes* of conscience after the commission of certain crimes, have laid violent hands upon themselves. He, who does not see the hand of God in this, must be exceeding blind.

SECTION XX. Thus have I made good the *second Proposition*; that natural reason discovers it to be the will of God, that every man should look upon this difference in the nature of things, as a law or rule, which he is always religiously to observe; under pain of his Maker's displeasure. I might add the ¹*suffrages* of *beathen* Authors, who as they traced out a *Law of nature*, so acknowledged God to be the *Lawgiver*. Thus ^m*Cicero* testifies of the wise men of antiquity. *Principem legem illam & ultimam mentem esse dicebant, omnia ratione aut cogentis aut veritatis Dei.* “ They thought this *first* and “ *last* of laws to be the mind of God, who “ orders or forbids every thing with perfect “ reason.” This he afterwards calls *Lex cœlestis*, “ The heavenly Law.” And, a little further on, says, *Sit igitur hoc principio persuasum civibus, &c.* “ Let it be the first “ care to establish this persuasion in the “ minds of the citizens, that the Gods are “ the supreme proprietors and governors of “ all things; that whatever comes to pass “ is

¹ See a variety of these in *Sbarrock de Finibus, et Officiis secundum Naturæ Jus*, Cap. II. No. iii.

^m *De Legibus*, Lib. II. Cap. iv, vii.

“ is directed by their power, wisdom and
 “ authority ; that mankind are under the
 “ greatest obligations to them ; and that
 “ they observe what every person’s real
 “ character is, what he does, and what he
 “ thinks ; with what design and with what
 “ inward devotion men perform religious
 “ rites ; and regard differently the pious and
 “ the impious——How many have been re-
 “ strained from wickedness by a fear of di-
 “ vine punishments ? and how free from
 “ crimes will society be, and how sacred
 “ promises and oaths ; the immortal Gods
 “ being regarded, both as *witnesses* and *judges* ?
 “ This is, as *Plato* calls it, a proper intro-
 “ duction to human Laws.” “ Are you
 “ not acquainted, says ⁿ *Socrates* to *Hippias*,
 “ with some *unwritten* Laws ? I suppose
 “ you mean, says the other, those which
 “ alike obtain in all parts of the world.
 “ And can you say, replied *Socrates*, that
 “ these were framed by men ? How could
 “ they, answered *Hippias*, when it is im-
 “ possible that all mankind should meet
 “ together ; and besides that, are not all of
 “ one language ? Who then do you imagine
 “ was the author of these Laws ? Why,
 “ says he, I cannot but esteem these Laws
 “ to have been given by the Gods to men.”
 Among these natural Laws he reckons the
 following ; that *the Gods should be worshipped*,
 which

ⁿ *Xenophon. De Memorabil. Lib. IV. Cap. iv.*

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which he calls the first; and *parents honoured*, &c. And ° *Sophocles* makes *Antigone* speak thus to *Creon*, tyrant of *Thebes*; "Nor did I
 " think that your decrees could prevail so
 " much, that being only a mortal man you
 " could run down the unwritten and esta-
 " blished Laws of the Gods. They are not
 " now only, nor of yesterday, Laws; but,
 " were *for ever* in force; and no one knows
 " by whom they were first promulged." And not to multiply citations, λογω ορθω πει-
 θεσθαι και Θεω ταυτον εστι, says ^p *Hierocles*,
 " To obey *right reason*, is the very same as
 " to obey *God*;" and upon this account the
 antient *Philosophers* stiled Reason, Θεον εννοουν,
 an indwelling God. So much juster were the
 notions and reasonings of the *Heathen* in this
 matter than those of Mr. ^q *Hobbes*; who will
 not allow the name of *Laws* to belong to
 those *conclusions* of *reason* concerning things to
 be done or omitted. The *Heathens* had
 sense enough to know, that the *voice* of *Nature*,
 was the *voice* of *God*, the *author* of
Nature; while a pretended Christian, erect-
 ing himself into an interpreter of nature, de-
 nies it. But if God speaks to us by the prac-
 tical dictates of our reason, they are proper-
 ly *Laws*; and the Laws of God: and his ra-
 tional creatures with reason expect his *favour*
 and

• *Antigone*, Act. II. Scen. iv.

^p In aurea Carm. *Pythagor.* Cap. IX.

^q De Cive, Cap. IV. Sect. xxxiii.

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and acceptance in a course of obedience to
them, but *transgress* them at their peril.
And this brings me,

SECTION XXI. To the *sanction* of the
Law of Nature, which is either *present* or
future.^r Bishop Cumberland observes from
Cicero and *Papinian*, that the word *sanction*,
in its *strict* sense, has regard only to the *pe-
nalties* incurred by the breach of the Law.
But as this Author and others use it in a
larger sense, as comprehensive also of re-
wards, so they are sufficiently warranted in
doing this, were it only by the reason which
he proposes; that *rewards* are a *fence* about
laws, as well as *punishments*; from whence
they are called *sanctæ*.^t *Sanctum est, quod
ab injuria hominum defensum atque munitum est.*
The *present* sanction consists, on the hand,
in the *peace* and *approbation* of a man's own
mind; ^u *Nullum theatrum virtuti conscien-
tia majus est,* "Not the approbation of the
" most public theatre can give equal happi-
" ness to a *virtuous* mind with its own."

One self-approving hour whole years out-
weighs
Of stupid starers, and of loud huzzas;
And

^r Prolegom. Sect. xiv.

^t Digest. Lib. I. Tit. viii. Leg. 8.

^u *Cicero*. Tusculan. Quæst. Lib. II.

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And more true joy *Marcellus* exil'd feels,
Than *Cæsar* with a Senate at his heels.

Pope.

Add to the satisfactions of a just self-approbation, *health* of body, *esteem* and *credit* amongst *all* men; the *favour* and *friendship* of the *wise* and *sober* part, *prosperity* in our *outward condition* and *affairs*, *cheerful trust* in *God* and his *Providence*, and the *hopes* of much *greater* and *better* things *after death*: *all* of which are *ordinarily* the *present* rewards of *Virtue*, and *some* of them *always*. On the other hand; the *present* sanction of the *Law of Nature* includes the reverse of all this; *shame*, *anguish*, and *perplexity* of mind, *disorders* of body, *contempt* and *hatred* from others, with a great many more *external* evils: *all* which do *usually* attend on vice, and *some* of them *without fail*. *Tantum poenam brevi duplicem pœnam esse divinam; quod constaret & ex vexandis vivorum animis; & ea fama mortuorum; ut eorum exitium & judicio vivorum & gaudio comprobetur.* “ The
“ punishment, says “ *Cicero*, inflicted by the
“ Deity on bad men consists chiefly in these
“ two things; the anguish and horrors of
“ mind which attend them while living;
“ and their having their ruin approved and
“ rejoiced in by those who survive them.”

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Thus

“ De Legibus, Lib. II. Cap. xvii,

Thus * *Socrates* takes notice, “ that there
 “ were *natural penalties* annexed to the vio-
 “ lation of the divine Laws, which men
 “ could by no means escape ; while they
 “ who transgressed human Laws, did often
 “ find the way to go unpunished. Well,
 “ my *Socrates*, says *Hippias*, all these things
 “ appear to be divine ; for that Laws should
 “ carry their own penalties in them seems
 “ to argue a more than human Lawgiver.”
 The *future sanction* is the reward or punish-
 ment reserved in an *after* state.

SECTION XXII. You may note this differ-
 ence between these two sorts of sanctions ;
 that the *first* are a *proof* of the *Law of Na-*
ture ; the *Law of Nature* is a *proof* of the
second. From the good or bad influence of
 actions on our *present* happiness it is reason-
 able to argue, that there is a Law command-
 ing or forbidding the actions which have
 these respective consequences. And from
 this Law well established it is rationally in-
 ferred, that there is *another* world besides
 this ; where they who keep, and they who
 break this Law, shall be more remarkably
 distinguished than they are at present ; and
 the rather, because a man's happiness in this
 world arises from *two* causes ; his own beha-
 viour, and that of other men : of which the
 latter is not in his power. It is not enough
 to

* *Xenophon*. De Memorabil. Lib. IV. Cap. iv.

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to secure the quiet and prosperity of human life, that a person performs his part, unless other men do their's; which it is very often seen they do not; and by this means bring the virtuous man into troubles and perplexities, contrary to the natural tendency of his own actions. It is no wonder therefore, that men dispute with so much zeal against the Law of Nature, since if they could but once persuade themselves there is no such law, the fear of a *future judgment* will vanish of course, from among them who give no credit to *revealed* religion; and who perhaps would have a great deal of reason for their unbelief, were there no *natural* religion on which revelation is founded.

SECTION XXIII. What has been proved relating to the Law of Nature, condemns that abominable tenet of *Archelaus*, *Epicurus*, and others; that *Nature* hath put no *moral* difference between things: whatever difference there may now be is *Θησεί*, not *Φυσεί*; adventitious and introduced by *custom*, and the *Laws of men*. In opposition to which ^y *Cicero* says, *Nil est profecto præstabilius quam plane intelligi, nos ad justitiam esse natos; neque opinione, sed natura constitutum esse jus.* “ Nothing is of more importance than
“ clearly to understand, that we are formed
“ to approve and practise justice; which is

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“ the

⁊ De Legibus, Lib. I.

“ the dictate of nature, independent of human opinions.” It is excellently observed by ^z Bishop *Cumberland*, “ That there is the same measure of *good* and *evil*, as of *true* or *false*, in propositions concerning the effects of certain motions, tending to the conservation, or destruction of things; viz. the nature of things: and whatsoever proposition points out the true cause of conservation, does at the same time shew what is true good.” The contrary notion which makes all moral distinctions of actions to be arbitrary, was with some little disguise revived in the last century by Mr. *Hobbes*; whose principles were a disgrace to his learning and wit. ^a *Injustitia erga homines*, &c. “ Injustice towards men supposes human laws, which can have no existence in a state of nature.” He talks indeed in the sentence immediately preceeding of *natural Laws*, wherein he only plays with words; for in another place he says ^b, “ They are not properly Laws as they proceed from nature”. Nay, in his ^c *Leviathan*, he says, “ Good and evil are always understood with relation to the persons who use these words; since there is nothing *simply* so, nor any common rule of good and evil derived from
 “ the

^z De Legibus Naturæ, Cap. I. Sect. xx.

^a De Cive, Cap. I. Sect. x.

^b Ibid. Cap. III. Sect. xxxiii.

^c Cap. VI.

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“ the nature of the objects themselves.”
And in his Book *De Cive*, Cap. XIV. Sect.
xvii. “ We all measure good and evil by
“ the pleasure or pain we ourselves feel.”
The foregoing proof of the Law of Nature
is a sufficient confutation of those principles
of anarchy and confusion: however, consider further,

SECTION XXIV. i. That were there no
Law of Nature, there would be no such
things as *human laws*, or *promises* or *compacts*,
that were *binding*. The very essence
of law lies in its obliging force. But setting
aside the Law of Nature, no *Heathen* subject
(not to say *Christian*) is obliged in conscience
to obey the commands of the Magistrate;
but, whenever he can be unjust, consistently
with his own safety, has full licence to be so,
for any restraint his conscience lays upon him.
The interposition of promises and compacts
alters not the case; for though these are a
man's voluntary acts, and Mr. *Hobbes* will
have the observation of them to be a dictate
of the natural Law; yet, besides that this
dictate of reason is not properly a *Law of God*,
according to Mr. *Hobbes* himself; I deny that
Reason binds us to the performance of our
promises, if it be true, that, in a *state of Nature*,
nothing that a man can do, is unjust. For I
appeal to anyone, whether a *breach of promise*
be at all more contrary

trary to reason, than *killing* a man, or doing him any other *hurt*, who never gave us the least *provocation*. So, that it could be only to serve an hypothesis that Mr. *Hobbes* makes the same thing unjust in society, *viz.* the hurting of an innocent person; which in a *state of nature* he asserts to be just and allowable. As for *Custom*, into which some have resolved this difference of actions, it is not supposable it could ever have become so *general* without some foundation in nature. Besides; that *custom*, though it may *influence*, does not *oblige*. Had a man no other reason to be just and temperate, but that the world has been accustomed without reason to look upon justice and temperance as *Virtues*; he could not be blamed though he should depart from a groundless custom, and endeavour to undeceive the world. And is not society likely to thrive wonderfully upon such principles?

SECTION XXV. ii. Were there no Law of Nature, but the difference of good and evil depended upon human constitutions; then (as hath been frequently objected to this notion) should the magistrate, or tyrant custom so please; what is now *just*, might become *unjust*; what is *generous*, might become *base*: and so *vice versa*: and, accordingly, men would be obliged to change their practice with their notions of these things

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A supposition which on the first mention shocks common sense, and would soon break all society in pieces. Were there a sufficient number of this sort of men to form a Commonwealth, which I would hope there is not, I would advise them to herd together; and, for experiment's sake, establish a society upon their own principles: and there is no question but the miserable state into which they would soon run themselves, would more effectually convince them of the absurdity of this notion, than all the reasoning in the world can do.

As the writers in proof of a Law of Nature have built upon different principles, which are consistent enough with each other, and, when united, establish it on an immovable foundation, it may be of use to divide them into three different classes.

I. Of them who have founded it upon the reason and fitness of things; among these consult,

Cicero. De Legibus. Lib. I.

— De Officiis, Lib. III. Sect. v, vi.

Grotii De Jure Belli et Pacis, Lib. I.

Cap. i. Sect. 10—12.

Herbert. De Veritate.

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Cumberland. De Legibus Naturæ, Prolegom. & Cap. i, iv.

Whitbii Ethic. Lib. I. Cap. vii.

Sbarrock. De Fin. & Offic. Sec. Naturæ Jus.

Parker's Demon. Law of Nat. Sect. i—viii.

Clarke's Evid. of Nat. and Rev. Religion. Prop. i—v.

— Sermons, Vol. V. Serm. viii.

Grove's Essay on Reason, Works, Vol. IV. 22—90.

— Pref. to Ordinat. Sermon, Vol. VII. pag. 469—494.

— Proofs of a future State, Vol. IX. pag. 306—314. Vol. X. pag. 123 130.

— Wisdom the first spring of Action, pag. 233—238.

Foster's Sermons, Vol. II. Serm. ii.

Scott's Serm. Nat. and Rev. Religion, Vol. I. Serm. vii.

Mole's Found. of moral Virtue, and Def.

Chandler's Reform. Serm. on *Isa.* v. 20.

Adams's Serm. on the nature of Virtue, &c.

Wollaston's Relig. Nat. delineated, Sect. I.

Burnet's Demonstrat. of true Religion, Vol. I. pag. 158—210.

Cudworth's eternal and immutable Morality.

Mrs. Cockburn's Works, Vol. I. pag. 383

Vol. II. pag. 1—455.

Jackson's

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Jackson's Plea for human Reason, and Defenses.

Conybear's Def. of Rev. Relig. Sect. I—V.

Balguy's Tracts moral and theological, Found. of moral Goodness, divine Rectitude, and Law of Truth.

Glover's Discourse on Virtue and Religion:

— Treatise on Virtue and Happiness.

Atkey's main Argument against *Tindal*.

Sykes's Principles and Connex. of Nat. and Rev. Religion.

— Defense of *Clarke's* Expos. Catechism.

— The true Foundations of Natur. and Reveled Religion.

Letters of *Gilbert Burnet* and *Hutchefon*.

Against these *Hobbef. de Cive*.

II. Of those who build the Proofs on our moral sense, and social Affections.

Puffendorf. De Jure Nat. & Gent.

— — De Offic. Hom. & Civ. edit.

Carmichael. Lib. I. Cap. iii.

Butler's Pref. and Sermon. i, ii, iii.

— Analogy of Religion Nat. and Rev.

Chap. II—V. and Dissert. ii.

Grove's Works, Vol. I. Sermon. i.

— Vol. X. pag 303—318.

Wishart's Reform. Sermon. on *Isa. v. 20.*

Parker's Demon. Law of Nat. Sect. ix, x.

Earl of *Shaftesbury's* Characteristics, Inquiry concerning Virtue.

Hutchefon's

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Hutcheson's Inquiry concerning Beauty and Virtue. Treat. I. Sect. i—iv. Treat. II. Sect. i—iii, v.!

——— *Letters to Burnet.*

Turnbull's Princip. Moral Philos. Part I. Chap. iv, vi, vii.

Jameson's Essay on Virtue and Harmony.

Cockburn's Reflexions on Man, and his relation to other Beings.

Newcome's Enquiry into the Evidence of the Christian Religion.

Logan's Charge to the grand Inquest.

Pope's Essay on Man. Epist. ii, iii.

Gay's Fable of the Shepherd and Philosopher.

III. Of those who prove a Law of Nature by the good effects of Virtue, and evil effects and consequences of Vice.

Xenoph. De Memorab. Socrat. Lib. IV. Cap. iv.

Cumberland De Legibus Naturæ, Cap. V, VI.

Eachard's Dialogues against Hobbes.

Scott's Christian Life, Vol. II. Chap. I. Sect. ii.

Earl of Shaftesbury's Characteristics.

Wollaston's Religion of Nature, &c. Sect. VII. pag. 208—217.

Seed's Sermons, Vol. I. Serm. xvi, xvii.

Fiddes's general Treatise of Morality.

Innes's Aretologia.

Campbell's

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Campbell's Enquiry into the original of moral Virtue.

Bluett's Answ. to the Fable of the Bees.

Law's Remarks upon the Fable of the Bees.

Berkeley's Alciphron, or Minute Philosopher, Dialogue II.

Ophiomaches, or Deism revealed.

Warburton's divine Legation of Moses, Vol. I.

Rutherford's Essay on the nature and obligation of Virtue.

Turnbull's Principles of Moral Philosophy.

— — Translation of *Heineccius.*

Religion of Nature considered.

Free Thoughts in defense of a future State.

John Clarke's Foundation of Morality.

Warner's Essay upon moral Virtue, and its necessary connexion with all rational Happiness.

Mrs. Cockburn's Works, Vol. II. pag. 129.

Clayton's Thoughts on Self-love, innate Ideas, &c.

Waterland's Nature &c. of the Christian Sacraments.

Wright's Remarks on Mr. Mole's Sermon and Preface.

Watts on Self-love and Virtue, Works, Vol. III. pag. 715—728.

Against this Scheme of Reasoning, consult the Fable of the Bees. CHAP-



CHAPTER VI.

Of the several Properties of the Law of Nature, as eternal, universal and immutable--An answer to the objection from national authorised Immoralities ; and a brief scheme of the prime Laws of Nature.

SECTION I. **A**LTHOUGH the chief things relating to the Law of Nature are contained in the foregoing Chapter, either *expressly* or by way of *implication* ; yet that the *genius* and *characters* of this Law may appear the more full I shall speak *distinctly* of these three *Properties* of it.

i. It is an *eternal* and *necessary* Law ; always did, and always could not but exist. *Æternum quiddam*, says ^a *Cicero*, “ *some-thing eternal and coeval with God himself.*” *Quæ vis non modo senior est quam ætas populorum & civitatum, sed æqualis illius cælum atque terras tuentis & regentis Dei—Non tum denique incipit Lex esse cum scripta est ;*

^a *De Legibus, Lib. II. Cap. iv.*

est; sed tum cum orta est, orta autem simul est cum mente divina. “ It did not then begin to be a Law, when ~~it~~ was first written; but, from its first existence, which is eternal as the divine mind.” *Moral* truths are in the same sense *necessary* and *eternal*, as *geometrical*. That the *three* angles of every triangle are *equal* to *two right* ones, is not a truth more necessary in the nature of things, than this proposition; that an *innocent* person *ought* not to receive any *hurt*. Whether a triangle exist or no, and there be any creatures to exercise justice towards each other, both these propositions are as true as ever they will be. It was from eternity true, that when a triangle should exist, it would exist with the property before mentioned; and whenever *rational* Beings should exist they would be under obligation to *mutual justice*.

SECTION II. I cannot therefore easily imagine what should make ^b *Puffendorf* quarrel with ^c *Grotius* for saying, “ That the things commanded or forbidden by the Law of Nature are in themselves necessarily good or evil; and therefore necessarily commanded or forbidden by God. By which mark the Law of Nature is not only distinguished from human laws, but
“ from

^b De Jure Naturæ et Gent. Lib. I. Cap. ii. Sect. 6.

^c De Jure Belli et Pacis, Lib. I. Cap. i. Sect. 10.

“ from divine, positive, or voluntary laws.” Of this which *Grotius* affirms I always thought there could be no doubt ; nor do I see any reason to alter my mind after all that *Puffendorf* has alleged for the contrary opinion. “ There is no action, says *Puffendorf*, “ if we abstract the consideration of all laws “ divine and human, but is intirely indiffe- “ rent ; and if certain actions are said to be “ naturally good or evil, it is because the “ constitution of that nature, which God “ of his own *free will* has bestowed upon “ man, demands, that certain actions be “ done or forborn. And, by consequence, “ the morality of human actions ought not “ to be attributed to them in virtue of an “ *absolute necessity* ; but only in virtue of a “ *conditional* one ; that is, on supposing the “ constitution of human nature such as God “ has freely determined it, in opposition to “ that of other animals.” And in ^d another place, “ there is no other necessity but “ what has its original from the good plea- “ sure of God.” Now I grant, that in regard the production of such a creature as man was the result of perfect Liberty in God, the *morality* of *human* actions may in a *remote* and *improper* sense be said to *depend* upon the *divine will*. I say in an *improper* sense ; for in propriety of speaking I can by no means subscribe to the expression, “ that “ the

^d Ibid. Lib. II. Cap. iii. Sect. 6.

“ the *moral differences* flow from a free volition of God.” Would any one allow of its being said, that the *extension* and *solidity* of bodies are the pure effect of the divine will? No certainly; and that because tho’ God was free to create, or not to create material substances; yet such substances being supposed, whether they shall be extended or solid is not a matter of choice, even to God himself. In like manner it was in the power of God when he created man, *not* to have created him; or to have formed *another* being in the same shape, but without the same faculties; but as this creature would not have been the same sort of being as man; so man, whose idea carries intelligence and liberty in it, being produced, the morality of his actions is an inseparable adjunct; and in nature antecedent to any law whatsoever. It is certain there can be no action morally good or evil, which is not commanded or forbidden by some law; because it is impossible God should not command what is morally good, and forbid what is morally evil. But then these actions are not morally good or evil so much because they are commanded or forbidden; as commanded or forbidden, because there is an inherent goodness or pravity in the nature of the actions. In short to speak exactly, the *essences* of things are *independent* of the will of God; who has an absolute power over their

their *beings*, but not over their respective natures. It is impossible that God should will contradictions to be true; and yet the impossibility that this should be so, does not flow from hence, that God cannot will it, but from the nature of things. In the divine understanding are found the ideas of all things, and there they are not *voluntarily*, but *necessarily*: their existence, their nature, their relations, are all necessary. And when this *ideal* existence of things is changed into one *external*, or without the divine understanding; this *external* existence is a *voluntary* effect of the divine power; and herein different from the *ideal*: but as for their nature and relations they are necessarily the same, as in their eternal exemplars, or ideas.

SECTION III. I cannot but further declare my surprise at the notion, which two great men *Selden* and ^c *Taylor* have espoused of the *Right of Nature*, in contradistinction to the *Law of Nature*. “ The *Right of Nature* is a *perfect* and *universal liberty* to “ do whatsoever can *secure* or *please* me. “ When God made man a free agent, he “ by nature gave him power to do all that “ he should desire; and all that is *Jus naturale*: and it needs no circumstance; for “ it is *every thing* he should desire in eating, and drinking, and pleasure, and rule, “ and

^c Ductor Dubitant, Book II. Cap. i.

“ and possession ; and the *Law* was super-
 “ induced upon this *Right*. *Right* is liber-
 “ ty, but *Law* is a fetter. *Nature* is free
 “ to every thing which it naturally desires,
 “ and for this they quote the authority of
 “ the ^f *Civil Law* ; *Libertas est naturalis*
 “ *facultas ejus quod cuique facere libet :*”
 Though this restriction be added in the
 same breath, *nisi si quid vi, aut jure prohibe-*
tur. They who intrust nature with such a
 right must suppose the natures of *Virtue*
 and *Vice* not to be eternal, but to have their
 origin from *Law* ; and supposing this must
 have a hard matter to prove from reason
 any *Law of Nature* at all. If on the con-
 trary they chuse to say, that *Virtue* and
Vice are separated by bounds fixed by *Na-*
ture, what room can there be for any such
Right of Nature, which neither in order of
 nature or time can be *prior* to its *Law*, and
 cannot exist afterward ?

SECTION IV. ii. The *Law of Nature*
 is *universal*. All mankind are born the
subjects and *objects* of this *Law*.

i. All mankind are *subject* to this *Law* ;
 which is therefore fitly enough called *Jus*
hominum, being the title which ^g *Tacitus*
 gives it. The difference of climate, of go-
 vernment, of language, makes no alteration

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here

^f Institut. I. iii. 1.

^g Histori. Lib. III. Sect. li.

here. The *Greek* and the *Barbarian* are equally born under this Law; for *Reason*, like the *sun*, is the *same every where*; tho' as that it does not shine every where with the same intenseness of light and heat.

^b Πάντα ἀλλήλοις ἐπιπλεκέσθαι κ, τ, λ. "All things are connected together; there is but one world, and one God, who is in all; one matter, and one Law, namely Reason, which is common to all intelligent Beings." It will be said, what then does that *diversity* of *opinions* and *customs* mean, which have obtained among the several *clans* and *divisions* of the earth? ⁱ "All natural things are the *same every where*; as fire burns with us after the same manner as it does in *Egypt*; whereas the *same things* do not appear *just* to all." "The same things, says ^k *Maximus Tyrius*, are not esteemed good by all men, nor the same things evil, nor are their ideas of virtue and vice the same. The notions of right and wrong differ so extremely, that not only one *nation*, but one *city*, or *family*, or *man*, agrees not with another; nor is one and the same man always consistent with himself." ¹ *Cornelius Nepos* has the same observation, and almost in the same words. *Non eadem omnibus esse honesta atque turpia,*

^b *Antonin. Lib. III. Cap. ix.*

ⁱ *Andron. Rhod. Lib. V. Cap. x.*

^k *Dissertatio. I.*
Præfat. ad Vitas.

turpia, sed omnia majorum institutis judicari. Cicero takes notice of the same objection, and answers it, *De Leg. Lib. I. Cap. xvii.* The observation might be confirmed by too great a number of instances. ^m *Hippias* objects to *Socrates*, who had instanced this among the Law of Nature, that *parents* should not marry with their children, that it could not be the Law of God, since it was not universally observed; there being some who paid no regard to it. Among the ⁿ *Persians* this was allowed, and it was made a qualification for becoming head of the *Magi*, the being born of such an incestuous marriage. Among the ^o *Egyptians* the marriage of brothers and sisters was allowed, and past from *Egypt* to *Athens* itself. *Bios ληστικός*, or living by robbery and plunder was very common among the antient barbarous nations, and by them thought to be an honourable sort of life, and is placed by ^p *Aristotle* in the same rank with agriculture, fishing, hunting, and the like. *Exposing infants* new born was a general practice even among the *Romans* and *Greeks*; who valued themselves upon their learning and politeness. *Self-murther*, instead of that infamous character which it bears among us, was by the *Romans* accounted a lawful, and sometimes

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a com-

^m *Xenophon. De Memorabil. Lib. IV. Cap. iv.*

ⁿ *Strabo. Lib. XV. & Clem. Alexand. Stromat. Cap. ii.*

^o *Minut. Felix.*

^p *Politic. Cap. viii.*

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a commendable way of escaping out of a shameful and miserable life. And in some nations it was usual to *kill their parents*, when they were become useless and decrepid; and the same barbarous custom, with that also of *exposing their children*, now prevails among the ^a *Hottentots*.

SECTION V. To this *objection* I answer,

i. Take this matter at the *worst*, it reaches not the Law of Nature in *general*, but only cuts off some things, which have been commonly reckoned *branches* of this Law. So that should it be granted that such and such things are not dictates of Nature, because they have not been acknowledged as such among all nations; yet those which have prevailed universally it is to be hoped may pass unquestioned. Now, as ^r *Cicero* says, *Quæ autem ratio non comitatem, non benignitatem non gratum animum & beneficii memoriam diligit? &c.* “What nation is there in
 “ which the *gentle*, the *kind*, and the *grate-*
 “ *ful*, who long retain the remembrance of
 “ kindnesses received, are not *beloved*? And
 “ in which the *proud*, the *mischievous*, the
 “ *cruel* and *ungrateful*, are not *bated* and
 “ *despised*?” “And who, says ^f *Juvenal*,
 “ is so abandoned, but were he to speak
 freely

^a See *Kolbeyn's Hist. of Hottentots*. *Grew's Cosmologia Sacra*, Book III. Chap. vi.

^r *De Legibus*, Lib. I.

^f *Satir. viii. vers. 211.*

“ freely his sentiments, would without he-
 “ sitation prefer *Seneca* to *Nero* ?

*Libera si dentur populo suffragia, quis tam
 Perditus ut dubitet Senecam præferre Neroni?*

Had we the freedom to express our mind,
 There's not a wretch so much to vice inclin'd,
 But will own *Seneca* did far excel
 His pupil, by whose tyranny he fell.

Stepney.

ii. The objection is no proof of the *non-existence* of the *Law of Nature*, but of the *great corruption* of mankind. It shews not the *inability* of *reason* to discover the *Law*, but the *strength* of human *passions*, the violence of men's *lusts*, and the power of *ill examples*, to drown the voice of reason, and over-rule its dictates. Would we take a just measure of human nature, it ought to be from those who have preserved it most pure, and who are most universally esteemed and beloved. * *Num dubitas quin specimen naturæ capi deceat ex optima quaque natura?* &c. “ Can you doubt whether a specimen of
 “ nature ought to be taken from the best in
 “ every kind? And what better natural dis-
 “ position can there be among mankind than
 “ their's, who think themselves born to help,
 “ defend and support others? ” Mr. *Hobbes*

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in

* *Cicero*. *Tusculan Quæst.* Lib. I.

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in his account of human nature takes the quite contrary method, calling that natural, and almost that only, which the basest passions of the basest men carry them to practise. This is very well exposed by Dr. *Burnet*, *De Statu Mortuorum*, &c. p. 11. " " As
 " degenerate as the world is, amongst men
 " of a right and healthful temper of mind,
 " natural right is invariable. That to others,
 " whose minds are diseased and perverted,
 " things have a different appearance, ought
 " not at all to be regarded. For he who
 " says *Honey is sweet*, says what is never-
 " theless true, for that it does not taste so
 " to those whose palate is vitiated. And
 " how soon are our judgments set wrong,
 " and nature perverted from its simplicity."
 * *Sunt autem ingeniis nostris semina innata*
Virtutum, &c. " The seeds of the several
 " Virtues are sown in our constitutions, and
 " if we suffered them to arrive to maturity,
 " nature itself would lead us to a happy life.
 " But as soon as we enter upon the world,
 " we are constantly conversant amidst all
 " kinds of perverse opinions and wicked
 " practices; so that we in a manner suck
 " in error and vice with our nurses milk."
 y " The variety of opinions, and the disputes
 " among mankind, confound our natural
 " notions,

^u *Andron. Rhod. Lib. III. Cap. ix.*

^z *Cicero. Tusc. Lib. III.*

^y *Cicero. De Leg. Lib. I.*

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“ notions of what is right and good ; and,
“ because the same thing does not happen
“ to our senses, we think these are by na-
“ ture infallible ; but those rational objects
“ which appear different to different per-
“ sons, and to the same man at different
“ times, we think to be quite uncertain ;
“ when the case is far otherwise. For as
“ to our senses, neither our parents, nurses,
“ masters, poets, neither the stage nor the
“ multitude conspire to deceive them.”

SECTION VI. iii. In most instances the *characters* of the *several nations*, among whom *evil customs* have *reigned* uncontrolled, will serve to answer the objection from such customs against a Law of Nature. For if these nations were extremely *barbarous*, *ignorant* of some of the most *necessary arts* of life, and sunk into a kind of *brutality*, we cannot wonder when we find so much stupidity and ignorance in other things, that there should not be found the exactest ideas of the natural Law. It is rather to be wondered, that so much of this Law is known and received among them. The inference that they had not the *same natural faculties* as *politer* nations, but were of a different species from them, because in their manner of living they approach nearer the beasts than human kind, would be altogether as just ; as that the Law of Nature for this

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reason

reason was not given to them. Now travellers inform us this is the case with several nations where some of the most shocking immoral customs prevail. "I have been told, says ^z *Le Brun*, that there are *Samoieds* inhabiting along the sea-coasts, and "in *Siberia*; who sell their wives, when they are tired of them. When their fathers and mothers die they keep their bones without burying them; and I have heard from persons who have been eye-witnesses to it, that they dispatch them when they came to such an advanced age, as to be good for nothing." Let any one read the account which the same Author gives of the rude miserable life of this people, as to *habitation, dress, victuals*, and every thing else, and he will think their opinion or practice no great credit to the cause of *Epicurus*. The ^a *Hottentots* are another nation, among whom leaving their *new born children*, or *aged parents* to perish, are established customs. These, tho' rude enough, are not so barbarous as the *Samoieds*; but *laziness* is their prevailing vice, and determines them without remorse thus to rid themselves of the burthen of providing for the helpless. And it is remarkable that this people, when urged with the barbarity of these practices, excuse themselves in a manner

^z Observations on *Russia*.

^a See *Kolbeyn's Hist. of the Hottentots*.

ner which shews they are not ignorant of the Law of Nature. For they do not plead, that no *gratitude* is due to *parents*, or *affection to children*, and that they are to consult only their own convenience ; but that it is *kinder to both* to dispatch them, than to permit parents to protract life when it is all suffering and no injoyment ; or than to educate children to sickness and want. But our objectors refer us to nations more civilized, *Gentes moratiores*, to inquire whether these have been better than the other. In *civil* life they have excelled, but not in many points of a *moral* nature. And what was the reason ? It was because they *refined too far*, and were not so ambitious of *moral improvement*, as of improving in their *pleasures* : and as to *philosophical* inquiries, discovered a greater passion for *wrangling* than for *truth* ; making it their endeavour to perplex and confound every thing out a wantonness of wit, and to introduce an universal *scepticism*. Now certainly the first and simplest dictates of nature are more likely to hit the truth, than such unnatural refinements ; according to that excellent reflexion of ^b *Justin* concerning the *Scythians*. *Prorsus admirabile videatur, hoc illis naturam dare, quod Græci longa sapientium doctrinâ præceptisque philosophorum consequi nequeant, &c.* “ It may
“ appear very wonderful, that Nature hath
“ given

^b Histori. Lib. II. Cap. iii.

“ given that to the *Scythians*, which the
 “ *Greeks* assisted by a long course of instruc-
 “ tion from their *wisemen* and *philosophers*
 “ have not attained : and that the latter
 “ with all their politeness should be so
 “ much excelled in substantial virtue by a
 “ people so rude. Of so much more ad-
 “ vantage to the *Scythians* was the *ignorance*
 “ of vice, than a more exact *knowledge of*
 “ *virtue to the Greeks.*” * *Tacitus* makes a
 like observation with regard to the antient
Germans. *Plusque ibi boni mores valent,*
quam alibi bonæ leges. “ That with them
 “ established good customs, and numerous
 “ good examples, had more efficacy than
 “ good laws elsewhere.” The *American*
 nations are also instances of how much ad-
 vantage it is to be ignorant of the refine-
 ments of luxury, and the usual incentives to
 avarice, injustice and debauchery, which
 abound amidst an opulent and polite people ;
 of whom *Pet. Martyr Augberius* in his ac-
 count of them gives this character, that they
 enjoyed the fruits of the earth in *common*,
 and did what was *right without laws or*
judges.

SECTION VII. iv. It is not difficult to
 give an *account*, how many *customs* in defiance
 of the *Law of Nature* were at first introduced.
 Not upon the *advice of wisemen*, not after
 mature

* De Moribus German. Sect. xix.

mature deliberation, and by common agreement ; but sometimes by the authority of princes. Thus ^d Cambyſes ſeized with a violent paſſion for his youngſt ſiſter would have the opinion of the *Persian judges*, whether they had any law which allowed of the marriage of a brother with his ſiſter ; and they knowing how dangerous it was to contradict him in any of his inclinations returned this answer : that though they had no law which authoriſed ſuch a marriage, yet they had a law, which gave the King of *Persia* power to do what he pleaſed. And as this may be reckoned the *Æra* of incestuous marriages ; from which time they ſpread more and more, till they became the general faſhion. *Valentinian* a christian Emperor, by a law promulgated through the empire allowed every man to marry two wives at one time ; but then this was only to cover an irregularity of his own ; who beſides his wife *Severa*, married another for her extraordinary beauty, whom his former wife had often recommended to him. Sometimes a general corruption has been introduced by the example of a man famous for his wisdom and virtue. What he does under the influence of pride or paſſion, and is really his infirmity, is thought to be the effect of ſome extraordinary quality of ſoul, and every one is fond of imitating him that they

^d Herodot. *Thalia*, Sect. xxxi.

they may come in for a part of his glory. The infection of *Cato's* bad example in murdering himself was such, that *Suicide* in *Seneca's* time was common among persons of every quality, condition, and age. ^e *Respice ad hæc nostra tempora, &c.* "Consider our
 " times, of whose effeminacy and luxury
 " we complain, and you will see persons
 " of every rank, fortune, and age, putting
 " an end to their troubles by a voluntary
 " death." Observe what he says in the first part of the sentence, concerning the *effeminacy and luxury* of that age; this very thing accounts for the general disposition among the *Romans*, when pressed with misfortunes to take refuge in a violent death, having *Cato's* example to justify them. The more soft people render their tempers by luxury and indulgence, the less capable they grow of bearing the troubles and infelicities of life. By an expression of *Seneca* in another place it looks, as if they thought *Cato's* example would authorise any thing. ^f *Ebrietas Catonis objecta est, &c.* "Cato has been
 " reproached with *drunkenness*; but this
 " charge will rather prove drunkenness no
 " crime, than *Cato* to have been a bad
 " man." The popular behaviour of the Emperor *Otho* had according to ^g *Tacitus*
 much

^e *Senec.* Epistol. xxiv.

^f *De Tranquil.* Cap. xiii.

^g *Histori.* Lib. II. Sect. xlix.

much the same efficacy in recommending *Suicide*; for *Otho* having killed himself, “several of his soldiers slew themselves before his funeral pile; not because they were apprehensive of punishment for having adhered to him; but from an admiration of his bravery, and an affection to his person; and afterwards the humour spread to *Bedriacum*, *Placentia*, and other garrisons; where this manner of dying was much celebrated.” Some nations have been first *conquered* by the *arms* of others, and then by their *customs*; which generally advanced in the same pace with their empire. Thus from the *Persians* by whom they were conquered, the *Egyptians* received the vile custom of marrying their sisters.

SECTION VIII. v. *Vice* has seldom or never enjoyed more than a *toleration* from the *laws* of any country; and a mere *negative* can be of no force against the *affirmative* voice of the *major* part of mankind. Even where very bad customs have been tolerated, *Non-conformity* to them, far from being censured, has been esteemed *honourable*.

SECTION IX. ii. The *Law of Nature* is *universal*, in that *all mankind* are the *objects* of it: that is, there are duties owing from every
man

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man to every man. ^h *Una continemur omnes
& eadem lege naturæ, &c.* “ We are all un-
 “ der one and the same law of nature ; and
 “ if this be true, we are forbid by the law
 “ of nature to injure any other person ; but
 “ the first is true, therefore also the last.
 “ For that which some advance is very ab-
 “ surd, that they think it wrong to injure
 “ a *parent* or a *brother* for the sake of their
 “ own advantage ; but that the case is dif-
 “ ferent with regard to *other citizens* ; that
 “ there are no common rights or ties be-
 “ tween them, which oblige them to pur-
 “ sue the common good : for this opinion
 “ destroys all society between the members
 “ of the same city. And as for those who
 “ allow the obligations to practise justice to
 “ be common among all of the *same city* or
 “ *state*, but deny it as to the *rest of mankind* ;
 “ these dissolve that society by which all
 “ men are naturally united ; which being
 “ destroyed, beneficence, liberality, good-
 “ ness, and justice, are also destroyed.”
 This agrees with that noble idea of the *world*
 which ⁱ *Antoninus* the Emperor and Philoso-
 pher gives us of it, when he calls it *Διος πολις*,
 the *City of God* ; for as *fellow citizens* all
 mankind are governed by *one common law*,
 and obliged to seek each other's good.

SECT.

^h *Cicero* De Officiis, Lib. III. Cap. vi.
 Lib. IV. Sect. xxiii.

SECTION X. iii. The *Law of Nature* is *immutable*. “Justice, says *Andronicus Rho-*
 “*dus* remains invariably the same thing
 “among the Gods;” and from the *immuta-*
 “*bility* of the *divine nature*, arises the immu-
 “*tability* of the *natural Law*. Upon this ac-
 “count^k *Cicero* will hardly allow any other
 “besides this to deserve the name of law;
 “because other laws may be abrogated in
 “a moment by a vote of the Senate; but
 “no authority can alter or abrogate the
 “*Law of Nature*.” Human laws cannot
 “change it, because they derive all their force
 “from this original law; and therefore in set-
 “ting aside this, would destroy themselves with
 “it. Nor can it cease or alter with the flux
 “of time, or the vicissitudes happening to the
 “external scene of things; nor properly speak-
 “ing be dispensed with by God. A famous
 “¹ *Casuiſt* thinks otherwise, whose words are,
 “The instances of the law of nature are
 “neither so prime nor so lasting as nature
 “herself, but alterable by God or by man;
 “and may be made *more* or *fewer*, or *other*.
 “When God commanded *Abraham* to kill
 “*his son*, and the *Israelites* to rob the *Egypt-*
 “*ans*, he gave them a command to break
 “an instance of the natural law—For the
 “laws of nature are in many instances rela-
 “tive

^k De Legibus, Lib. I.

¹ *Taylor's Duct, Dubit.* Book II. Chap. ii.

“tive to certain states, and therefore in these
 “instances and particulars are as alterable
 “as the states themselves; but the reasons,
 “indeed, on which they rely (supposing the
 “same or equal circumstances, and the
 “matter unchanged) are eternal and unal-
 “terable as the constitution of nature —
 “The matter of the law being changed,
 “there must of necessity also be a change
 “in the law.” But, as ^m *Grotius* saith well,
 “Every such instance is but *imago muta-*
 “*tionis*, the appearance of a change; since
 “the Law of Nature is itself by no means
 “changed, being in its nature unalterable;
 “but the circumstances of things about
 “which the law is conversant, and which
 “in their nature are changeable.” Or, as
ⁿ *Cicero* expresses it, “The times often are
 “such, that the sentiments and actions
 “which at other times were worthy of a
 “just and good man, cease to be so, and
 “become the contrary—With the change
 “of times our duty changes, and is not al-
 “ways the same.” Observe, he says, our
duty is changed, not the *Law*. The law of
 God *immediately* forbids the *irregular acts* of
 the *mind* only, outward actions are forbid-
 den, *merely* as they are supposed to proceed
 from some internal irregularity; where, there-
 fore, the action does not flow from any evil
 prin-

^m De Jure Belli et Pacis, Lib. I. Cap. i. Sect. 10.

ⁿ De Officiis, Lib. I. Sect. x. Lib. III. Sect. iv.

principle or disposition, not being the effect of want of love to God or men, it does not fall under the prohibition of the law: as on the contrary, where it does, it is criminal; though not immediately and directly evil. Or we may express the answer to this objection thus: the Law of Nature never commands or forbids the *naked action*, but the action with its *circumstances*; for which reason a change in these does not infer a change in the *law*, which always commands, or forbids the *same action* in the *same circumstances*; and out of these circumstances does neither. A mere taking away another man's life was never forbidden to any man; but the taking it away *without* any *necessity* on our part, or *authority* from him to whom it is *forfeited*, or who has the *supreme* disposal of it. So that had ° *Abraham* sacrificed his son as he intended, he had done nothing but what the Law of Nature always permitted; the law having ever allowed men to take away what is in the *possession* of *others*, with the *consent* and by the *order* of the *owner*. Now that *God* is the absolute *proprietor* of the lives and enjoyments of all his creatures, was never questioned. At the bottom I am sensible the difference is rather about the propriety of *words* than things; since it is

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granted

° See this case more fully considered in *Groze's Works*, Vol. II. Serm. vi, vii, viii. and *Joseph Nicol Scott's Sermons*, Vol. I. Serm. xii, xiii, xiv.

granted in the quotation above, that the *reasons* on which the laws rely (which that author in another place calls rules of nature) are *eternal* and *unalterable*. But as these rules of nature are no other than the *more general* laws of nature, and as a change in the *instances* does not infer a change in the *laws*, it appears the best way to avoid mistakes to say, that the Law of Nature is *immutable*.

SECTION XI. All that I propose further upon this head is to give you a short scheme of a few of the *prime* Laws of Nature, beginning with that which is the most general and comprehensive of all. And here I would distinguish between an *affection* of nature, a *principle* of nature, and a *Law* of nature. *Self-love* is the most general *affection* of nature; since every thinking being either created, or uncreated, in its integrity, or corrupted, cannot but love itself. A *natural principle* is a *proposition* containing some important truth, the evidence of which is *apparent* to reason, and the *foundation* of some natural law, though it be not a law itself. Of which kind the most general principle I can think of is this, *that every being has its natural rights*. These natural rights would follow, were there nothing else from which it could be derived, but the affection of nature before mentioned. For as this love of
itself

itself is inseparable from every reasonable being, and therefore certainly not contrary to reason; so with this love of himself nature must confer a *right* of *preserving* and *bettering* himself and his condition, by all the ways in his power, which are not to the prejudice of other beings. These *rights* indeed are *various*, according to the *rank* which every being holds in the universe; and as *God* is the supreme being and the original of all others, he must have a *supereminent* right over all his creatures. And from hence we are by an easy transition led to the *most general* Law of Nature; for what can be the most general law but that which answers to the *most general* principle of nature? And what is that, but that *every being* should render to every *other* being, what is its evident *right*? Even that ^p *writer*, whose whole system is built upon *universal benevolence* as the *prime* law of nature, (of which I shall take notice presently) acknowledges “an
 “ universal law concerning the establish-
 “ ment and preservation of everyone’s rights;
 “ and that universal justice is nothing else,
 “ but the will or propension to render to
 “ every one his due, which is command-
 “ ed by this universal law.” And what law or duty of nature can be conceived, which is not to be traced up to this source? Our obligation to glorify God does itself

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pre-

^p *Cumberland De Legibus Naturæ, Cap. VIII. Sect. i.*

presuppose this; for therefore are we bound to glorify God, because God has a right to be glorified by all his intelligent creatures; and the reason of every such being will tell him, that as he ought to *render to all their due*, so most of all to his Creator.

SECTION XII. The *three prime Laws* deducible from hence are the *love of God*, the *love of our fellow creatures*, and the *regular management of our self-love*. The *first* of all these is the *love of God*; the first duty a reasonable creature stands obliged to is, to love the *cause and fountain* of its being. Previous to the consideration of the particular will and pleasure of God, our *understanding* teaches us to love him, and our *hearts*, were they not corrupted, would be immediately and incessantly inclined towards him. And as it is the *first* duty to which a reasonable creature is obliged, so it is that in which all the rest have their *foundation*. For therefore are we engaged to all other duties, (though not for this reason *alone*) because they are fruits and demonstrations of love to God. *Love to our fellow creatures* is next to the love of God. These we are bound to love *as we do ourselves*; because they agree with us in having the *same fountain* of their beings, in conspiring as *parts* of one common *whole*, and in being designed for one and the *same happiness*; which is best promoted

moted by the joint endeavours of all. And did such a love as this govern in all rational creatures one towards another, it would of course draw after it the performance of all social duties. Such is *humanity*, a word that very happily expresses it; because this universal affection is truly human, and preservative of human kind. ^a Bishop Cumberland makes *universal benevolence* to be the *prime* Law of Nature, and the parent of all others; but in my opinion not so properly. Since the obligation to *piety* springs *immediately* from the *regard* we owe to our Maker in *particular*; not to the *whole* system of rational beings. Our obligation to *justice* from the *several* *rights* vested in particular persons; and our obligation to *temperance*, *industry*, &c. from the *care* every man ought to take of his *own* *being*. That the *public good* is interested in the performance of all those duties, is without doubt an *additional* obligation to them; but not the *prime*, much less does it prove the public good to be the *only* source of them; since laying aside the consideration of that, our obligation to these duties would still subsist. It is indeed impossible that the discharge of their duties by the several beings which compose the intire system of rational agents, should be inconsistent with the general good, or not promote it; and so it is impossible the uniform practice of vir-

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tue

^a De Legibus Naturæ, Cap. I.

tue should not be attended with pleasure: which notwithstanding no one I suppose will say, that this pleasure is the original ground of the obligation men are under to be virtuous; but rather the natural reward for their being virtuous. The *well management of self-love* distinguishes us from creatures without reason; it is a Law of Nature, and turns an *instinct* which we have in common with the brutes into a most amiable *Virtue*. Self-love as an instinct carries us to seek our own preservation; and *Reason*, which is the publisher of the will of God, warrants us to seek it in those methods and no other, which are agreeable to our nature, and the station to which we are advanced in the universe. This may be called *moderation*.

Consult on this Chapter the same Books as on the former, particularly,

Cicero. De Legibus, Lib. II. & De Officiis, Lib. III. Cap. iii, iv. &c.

—— De Amicitia.

Grotii De Jure Belli & Pacis, Lib. II. Cap. xx.

Cumberland De Legibus Naturæ, Cap. I. &c.

Sbarrock de Finibus et Officiis secundum Naturæ jus.

Hutcheson

Chap. VI. *of the Love of Nature.* 103

Hutcheson. Philos. Moral Institut. Compend. Lib. II. Cap. i, ii.

Sbarrock's Sermons on the Ends of the Christian Religion.

Tillotson's Works, Vol. II. Folio, Sermon. ii, xlix.

Leng's Sermons at *Boyle's* Lecture, Sermon. iii., iv. pag. 87—100.

Butler's Sermons, Sermon. i. pag. 11—14.

Clarke's Sermons, Vol. VIII. Sermon. vi.

Burnet's Sermons at *Boyle's* Lecture, Vol. I. pag. 114, &c.

Orr's Sermons, Vol. I. Sermon. iii.

Grove's Works, Vol. II. Sermon. vi, vii, viii.

Abernethy's Sermons, on the Being and Perfections of God, &c. Vol. I. Sermon. iii. Vol. II. Sermon. viii, ix, x.

Foster's Sermons, Vol. I. Sermon. i, v. Vol. II. Sermon. i, ii, iii.

Discourses on natural Religion and social Virtue, Vol. II.

Joseph Nicol Scott's Sermon. on Nat. and Rev. Religion, Vol. I. Sermon. xii, xiii, xiv.

Bullock's Sermon on the Gospel, a reinforcement of the Law of Nature.

Stone's Sermon. on Heb. xi. 17. and defenses against *Chubb.*

Mole's Foundation of Virtue and Vindication of it.

Candler's Reformation Sermon.

Temple's Works, Essay on heroic Virtue.

Blackmore's natural Theology, Sect. II.

Fordyce's Elements of moral Philosophy,
Book I. Sect. iii, iv.

Essays on the Principles of Morality and
natural Religion, in two Parts.

A Delineation of the nature and obliga-
tion of Morality.

Balguy's Law of Truth.

Hutcheson's Inquiry, &c. Treat. II.
Sect. iv.

Glover's Discourse concerning Virtue and
Religion.

—— Treatise on Virtue and Happiness.

Berkeley's Alciphron or Minute Philosop.
Dialogue II.

Johnston's eternal obligation of natural
Religion.

—— Christianity older than the Creation.
The Reflector.

Wright's great Concern of human Life,
Chap. iv, vi.

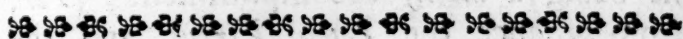
Christianity distinct from the Religion of
Nature.

Grosvenor's moral Obligation to the posi-
tive Appointments in Religion.



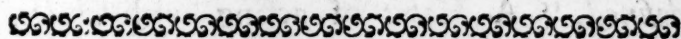


PART II.




SECTION III.

Of Virtue itself, and its several Kinds, and Distinctions.



CHAPTER I.

Of Virtue in general, and of Vice.

SECTION I.  HE *objects* and the *rules* of *Virtue* have been at large considered under the two former *Sections*; the business of this last is to treat of *Virtue itself*; and its several *kinds* and *divisions*. And here to pass by all the acceptations of this word, that are nothing to our present purpose; I shall set myself

self to explain the nature of *moral Virtue*.
^a *Appellata est a viro virtus: Viri autem propria maxime est fortitudo.* This is very good authority for the original of the word, and gives probability to the conjecture of those, who derive *Αρετή*, the Greek word for *Virtue*, from *Αρης*, *Mars*. Virtue is so called from its being a *manly* accomplishment; (*Vir*, from whence the *Latin Virtus*, and the *English Virtue*, signifying a *Man*) and as *courage* has been thought the most *distinguishing* character of a *man*, hence it was that this particular quality was more especially honoured with the name of *Virtue*.

SECTION II. *Virtue* is by ^b *Aristotle* thus defined, "A *Habit* of acting with *choice*,
 " consisting in a certain *medium* with respect
 " to us, *determined* by *reason* and the *judg-*
 " *ment* of some *prudent* person." The *Pythagoreans* define it *Εξω τινα τε δεοντος*, "a
 " *habit* of doing one's duty." This definition I should not much dislike, but that it mentions nothing of *liberty*, which yet makes a necessary part of the notion of *Virtue*; and seems moreover to intimate, as that of *Aristotle* does by styling *Virtue* a *habit*,
 that

^a *Cicero. Tusculan. Quæst. Lib. II.*

^b *Ethic ad Nicom. Lib. III. Cap. vi.*

^c *Ne cures ea, quæ stultè miraris & optas,
 Discere & audire & meliori credere non vis.*

Horati Epistol. Lib. I. Epistol. i.

Nunc te melioribus offer,

Epistol. ii.

that it is of the *essence* of Virtue to be the result of *repeated acts* ; whereas the reason of its being so at *present* does not arise from the nature of Virtue, but from the nature of man ; who has strong animal passions, which often lead him to act contrary to reason, and require the strength of a good habit to balance them. ^a *Aristotle's* reason why Virtue cannot be *natural*, that what is natural can never be *altered* by *custom* ; as a stone which falls naturally, by being never so often thrown upward will not learn to ascend ; is good for nothing. For besides, that there is no arguing from a thing without all sense, as a stone to a reasonable agent ; the utmost this argument can be supposed to prove is, that Virtue cannot be *necessary* ; which it is very possible it may not be, and yet be *natural* : meaning hereby a natural bent and inclination to act virtuously, as well fixed, and as prevalent as one acquired by custom. Indeed as things are now, exercise is pre-required to a habit of goodness ; but as this does not necessarily enter into the idea of Virtue, the integrity of *Adam*, had he maintained it, deserving this title, as much as any attainments of his posterity can do ; Virtue, I think, ought not to have its definition from hence. *Seneca* in his thirty-third Epistle gives us this idea of Virtue, *Est æqualitas & tenor vitæ per omnia consonans sibi*. “ An

“ even

^a *Ethicæ ad Nicom.* Lib. I. Cap. i.

“ even tenor and harmony of life, through-
 “ out consistent with itself ;” which per-
 haps may be admitted for a description of a
virtuous life, not as a definition of Virtue
 itself, which is not a thing *external*, but an
inward vital principle. The great fault of
 “ Cicero’s definition, *Virtus est nihil aliud*
quam in se perfecta, & ad summum perducta
natura ; “ Virtue is nothing else but hu-
 “ man nature compleat in itself, and carri-
 “ ried to its highest improvement,” is its
 being formed too much upon the principles
 of the *Stoics* ; who would not allow of any
 degrees in virtue. I do not know whether the
 following *definition* be unexceptionable ; but
 it is the best I can think of. *Virtue* is a *di-*
rect and *fixed conformity* of the *will* in its state
 of *liberty* to *right reason*, dictating to man
 his *duty*. In which definition are contained
 the following particulars.

- SECTION III. i. *Virtue* is a *conformity to*
reason. It is not a *blind* and *brutal instinct* ;
 but the fruit of *knowledge* and *illumination*.
 “ The *principal* part of man is the *mind*,
 “ and of the mind *reason* ; from whence
 “ *Virtue* proceeds, which is the perfection
 “ of reason.” Not only the *ideot*, who la-
 bours under unavoidable ignorance, but he
 also who is *ignorant* through *affectation* and
 negli-

* De Legibus, Lib. I.

† Cicero. De Finibus.

negligence, cannot be a man of virtue. The more any being improves its knowing faculty, of so much higher degrees of virtue (other things being equal) does that being become capable. In beings perfect either *absolutely*, or *after their kind*, the perfection of the *will* is always proportioned to the perfection of the understanding. [§] God who is infinite in *holiness*, is infinite also in *knowledge*; and in the same sense, though not in the same degree, as God is holier than an *angel*, an angel is holier than the *spirit* of a *just man made perfect*. Their *negative holiness* is equal, and incapable of addition; but as to *positive holiness*, or the *intention* of the *will* in its love of *rectitude*, and *hatred* of *sin*, it seems to be greater or less; according as the *knowledge* of those happy spirits is more penetrating and comprehensive. And there is the same analogy in the different degrees of virtue amongst mankind; since he who knows most of God and divine things, supposing his growth in virtue to be answerable to his capacity of being virtuous, must make greater acquisitions of this kind than others can do. Virtue is the order and perfection of the *elective* faculty; which is then perfect, when its choice is regulated by the direction of reason, or mind. The mind is the leading principle in every man; its authority

[§] See on this head, *Grove's Wisdom the first spring of Action*, &c. Works, Vol. X. Tract. i.

thority is deduced from nature: for what is *best* ought always to be *uppermost*. As God hath established an order of *beings* in the universe, according to which *man* excels *beasts*, and *angels* man, who unites different natures in one; he hath ordained an order of *faculties*, which is to be determined by the order of the respective beings to whom they belong. *Sense* is found in *beasts*, *Reason* in *angels*; on the same account that angels are above beasts, reason in man, which is an angelical faculty, is to be superior to sense, which he enjoys in common with beasts. "Every man, says ^h *Andronicus Rhodius*, ought studiously to apply himself to live conformably to the *best* thing that is in him; now the best thing belonging to a *man* is his mind. Add, that it is the most absurd of all things for any one to make choice of *another's* life, and not of *his own*. For that which is best and most excellent in every man is his true self, and he who lives according to this will live to himself; and such a life as is properly his own." The *Mind* is the *Man*.

SECTION IV. ii. *Virtue is immediately seated in the will.* This ⁱ *Aristotle* calls το επιθυμητικόν, the *appetitive* part of the soul, and

^h Lib. X. Sect. ix.

ⁱ Ethic. ad Nicom. Lib. II. Cap. i.

and takes notice, that though it be *αλογον*, without reason in itself, yet *μετεχει πως*, it does in a manner *participate* of reason, by being under its guidance: and this he makes to be the subject of the *moral* virtues. For he divides the virtues into *moral*, and *intellectual*, *ηθικαι και διανοητικαι*; the last of which having their residence in the understanding, and for that reason ought to be degraded from the number of the proper virtues, to be sure can have no place in morality, *prudence* excepted, which though not itself a moral virtue, is yet necessary to determine what is so, and therefore claims the consideration of the moralist. "Virtue," says ^k Dr. Grew, is the intire operation of the human mind, in which there is a certain *Ορη*, or *swing of fancy*, under the command of reason." It is indeed relative to all the powers of human nature; it is *light* in the mind, *strength*, and *resolution* in the will, *obedience* in the affections and *regularity* in all the faculties: but the formality of virtue consists in the *rectitude* of the will; by the force of which a man makes a right use of his other faculties, and preserves a constant order and uniformity amongst them.

SECTION V, iii. That the will may become the seat of *Virtue* it must be a *free principle*, or endowed with a *self-determining force*

^k Cosmologia Sacra, Book II. Chap. vii.

force. Ἐφ' ἡμῶν ἡ Ἀρετὴ, ὁμοίως δὲ καὶ ἡ Κακία,
 "Virtue is in our power, and so likewise is
 "vice." He whose actions are not in his
 own power to do or forbear them, though
 he will conformably to reason, must not
 challenge commendation; as, on the contrary,
 he cannot be blamed, when his will perversely
 crosses the notions of his mind. No one
 then is necessitated to be virtuous, because
 the supposition of necessity destroys the very
 idea of moral virtue; from which praise and
 reward are ever inseparable. If *grace* may
 be planted and maintained by an *irresistible*
hand, *virtue* cannot. Virtue even now is
 nothing else but the human will in its due
 position, and acting at once regularly and
 freely; for the former of which it is enabled
 by the grace of God. Imagine *Adam* to
 have been created in an *indefeasible* state;
 he might have been *good* but not *virtuous*;
 in regard virtue is nothing else but the right
 use of liberty. But being created with a
 power to stand or fall, had he stood, his in-
 nocence would have been his virtue, as his
 apostasy was his crime. It cannot be denied
 since common observation proves it, that
 there is such a thing as Φύσεως Ευμοιρία, "a
 "peculiar felicity of nature," in which some
 have a great advantage above others. Upon
 which account principally, I believe ^m *Plato*
 called

¹ *Aristotel.* Ethic. ad Nicom. Lib. III. Cap. v.

² Vide *Maximi Tyrii* Dissertatio. xxii.

called virtue *θεῖον ποσιν*, a *divine gift* ; not that they who have this preparatory disposition to goodness are therefore necessitated to be good ; or that they who want it are under an incapacity of being so ; but, by the former, an *eminency* in virtue is more easily attained, than by the latter. This *Ευφροια*, or happy *natural disposition*, is the foundation on which the structure of *heroic Virtue* is raised ; which according to the fine description of it by ⁿ Sir *William Temple*, “ arises
 “ from some great and native excellence of
 “ temper or genius, transcending the com-
 “ mon race of mankind, in wisdom, good-
 “ ness, and fortitude. These ingredients
 “ advantaged by birth, improved by educa-
 “ tion, and assisted by fortune, seem to
 “ make that noble composition, which gave
 “ such a lustre to those who have possessed
 “ it, as made them appear to common eyes
 “ something more than mortals ; and to
 “ have been born of some mixture between
 “ divine and human race ; to have been ho-
 “ noured and obeyed in their lives, and
 “ after their decease bewailed and adored.”

This excellence of genius, he says, must be *native* ; because it can never grow to any great height, if it be only *acquired* or *affected*. I shall take the liberty to add, that what is commonly called *heroic Virtue*, or that for which some men have been denominated

VOL. II.

I

Heroes,ⁿ Essay on Heroic Virtue.

Heroes, though it has dazzled and imposed upon mankind, will not bear the trial. It is generally built upon a wrong foundation, an unmeasurable ambition or desire of false renown; and raised to its height by very unjustifiable methods. “Valour, says an ingenious ° Author, can alone become laudable, when it is employed and directed by a superior virtue. This virtue in a *subject* or *citizen* is the love of his prince, and of his country, guided by his obedience alone. In a *prince*, or the *head* of a *republic*, it is the love of his people, heightened by the justice he observes even to his neighbours and his enemies. In the *Hero* it is the love of mankind in general; or humanity guided by a zeal founded upon a lively hope of the protection of the Gods. So it is this *courageous* humanity, this zealous love of mankind, which is the chief virtue of the *Hero*.”—— *Heroic* virtue then, if thereby be meant an *uncommon capacity and zeal* for promoting the cause of God, and the interests of mankind, is indeed the noblest achievement of human nature; and is not within the reach of every one: but *virtue in general* is so. “Every one, as ° *Cicero* observes, may be *virtuous*; though every man is not capable of serving his country

“ in

° Life of *Sethos*, Vol. I.

° De Officiis, Lib. I. Cap. xxxiii.

“ in more shining and honourable offices.
 “ He cannot set up for a *pleader*, an *orator*,
 “ a *general*; let him therefore acquit him-
 “ self of those parts which are in his power,
 “ of *justice*, *faithfulness*, *liberality*, *modesty*,
 “ *temperance*; and then what has been de-
 “ nied him by nature or by fortune will
 “ not be expected from him.”

SECTION VI. iv. It is in the *conformity* of our *wills* to *right reason* that the *formal* nature of virtue consists; and not, as ¹ *Aristotle* has placed it, in the *mediocrity* of the actions and passions. This *Philosopher's* opinion was, in short, that *every virtue* stands in the *middle* between *two vices*, which are opposed to it, the one κατ' υπερβολην, by way of *excess*; the other κατ' ελλειψιν, by way of *defect*. The place which virtue holds between these extremes, is not at an *equal* distance from both; which is called *medium arithmeticum*, or κατ' αἰσο πραγμα, as to the *thing itself*, as *four* possesses the *arithmetical mean* between *two* and *six*; but is to be assigned by reason, and from thence called *medium geometricum*, or προς ημας, as to *us*. Against this notion of *Aristotle* two things may be offered. 1. Virtue does not *always* dwell between two ill neighbours. For not to insist upon the *love of God*, which can never be carried to an *excess*; I demand the names of the *two vices*

to which *justice* is an enemy? To give another *less* than his due, is doubtless inconsistent with this virtue; not so to give him *more*; for this is what *justice* allows, and what *charity* often commands: and is therefore so far removed from the nature of a vice, as to be many times among the most excellent virtues. 2. Should virtue be granted to lie *always* between two vices, as it is owned it does^r *generally*; yet this would be no argument for its having its *distinguishing* character from hence. *Definitions* of things should present us with that notion of them which is most *radical*, and in order of nature pre-existent to all others. But that virtue is found in the middle between two vices, is only a *consequence* of its conformity to right reason. For since reason indifferently condemns all vice, whether in excess or defect, it must follow, that virtue, which is nothing else but the agreement of the will to right reason, must be equally distant from it. That very *mediocrity*, which, in the opinion of the^r *Stagyrite*, makes the essence of Virtue, he says himself, is determined and measured by reason; and, says his *Paraphrast*, varies according to the estimate of this faculty, which removes it now nearer, now further

^r Est modus in rebus, sunt certi denique fines,
Quos ultra citraque nequit consistere rectum.

Horatii. Satir. Lib. I. Satir. i.

Virtus est medium vitiorum utrinque reductum.

Id. Epistol. Lib. I. Epistol. xviii.

^r *Aristotel.* Ethic. ad Nicom. Lib. II. Cap. vi. *Andronic.*
Rhod Lib. II. Cap. vii.

ther off from each extreme. ' It is true virtue stands for the most part between two vices ; yet is thereby no more defined, than an *honest* man by living between two *thieves*. To which may be added, that the defining particular virtues, by their situation between the opposite vices, may happen to confound their ideas. For instance ; *liberality* is seated between *prodigality* on the one hand, and *covetousness* on the other, and yet this is no proper definition of it ; because *frugality*, though very different in its idea, is opposed to the very same vices.

SECTION VII. v. To finish the idea of *Virtue*, the *conformity* of the will to right reason must be *direct* and *fixed*. It must be *direct*, and *explicit* ; by which is signified, that the *ruling motive* to the will in its elections and determinations, is the correspondence of things and actions with true and undepraved reason. A very bad man may happen to will actions enjoined by reason ; but then he does not will them because thus enjoined : for reason enjoins them on account of their intrinsic beauty, and the stamp of divine authority which they bear upon them. This conformity of the will to right reason must be likewise *fixed* and *invariable* ; for virtue does not fluctuate, but was ever accounted a stanch and permanent principle. We do

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not

! Grew's Cosmologia sacra, Book II. Chap. vii.

not give a man the character of justice from one or two actions, though remarkably just; but from a steady uniform bent of his will, expressing itself in a course of such actions. Therefore, ^u *Aristotle* says well, “ That a
 “ man to deserve the name of virtuous must
 “ practise good actions, *ειδως*, knowingly
 “ *προαιρουμενος*, και *προαιρουμενος δι’ αυτα*, out of
 “ choice, that is, *preferring* such actions, and
 “ preferring them for their *own sake*; and
 “ lastly, *βεβαιως και αμελακινηως*, with con-
 “ *stancy and perseverance.*” The inferences
 we may make from the preceding discourse
 of virtue are these.

SECTION VIII. i. *Virtue* is το *πρεπου*,
 the truest *decorum*. *Decorum* is nothing else
 but a *consent* of the *actions* with the *excellency*
 of man, in that view of him by which na-
 ture hath distinguished him from other ani-
 mals. And this *decorum* differs no otherwise
 from *virtue*, than as a *good colour* does from
health; for after much the same manner is
decorum diffused through the whole body of
 human actions, and argues a health and
 soundness of mind; from which it is to be se-
 parated only in the imagination. This is ^x
Cicero’s thought, who further illustrates the
decorum of *Virtue* by the *decorum* of the
 Stage,

^u *Ethic. ad Nicom. Lib. II. Cap. iv.*

^x *De Offic. Lib. I. Cap. xxvii.* See also *Horatii de Arte Poeticâ*, vers. 112, &c.

Si dicentis erunt fortunis absfona dictis, &c.

Stage, which the poets are then said to observe, when the persons introduced speak and act becoming the characters they sustain, be they good or bad. *Poetæ quid quemque deceat ex persona judicabunt.* “ The rule to judge of poetical decorum is the received character of him who is represented, whether it is imposed by *history*, or by *fame*, from which the *Poet* is never to depart.” This he calls *Persona*, or the part to be acted, as they also called the *Mask* of the *Roman* actors, by the same name ; because it was fitted to the external person, as the character of the mind, which is the true inward person, was drawn by the poet. The author goes on admirably, *Nobis autem personam imposuit ipsa natura, &c.* “ *Nature* has fixed our character and part, and a more excellent one than is assigned to any other living creatures. Wherefore as the *Poets* amidst a great variety of characters, and many of them vicious, are concerned to know and represent what is becoming each ; so we, to whom nature has assigned *steadiness, moderation, temperance, modesty*, as parts of the character which we are to sustain, and who by the same nature are taught to be careful, that our behaviour to others be suitable to our relation unto them ; are alike concerned to know and cultivate this universal decorum which arises from the practice of

“ every virtue.” y Bishop Cumberland explains this decorum after a somewhat different manner, “ Since, saith he, the most beautiful state of mankind naturally arises from all the goods or endowments of body and soul aptly proportioned among themselves, and directed to the advancement of the best end; it is manifest, that those actions which by their own intrinsic force are fitted to constitute or preserve such a state of things, are deservedly called beautiful and decorous.” The same author adds, “ The good of the whole system of rational beings including all the good things belonging to all the members, is in itself desirable, and therefore not to be subordinated to the good of any particular person; from whence with equal evidence it follows, that the actions adapted to this end being best and most beautiful, are in themselves amiable and most worthy of praise; and because of that eminent honour which they may challenge, are in themselves *honest* or *honourable*.”

SECTION X. ii. *Virtue is a necessary qualification for happiness.* For what is virtue but a conformity to *right reason*, that is, to the proper nature of man? And as *Andronicus Rhodius* says in a place above quoted, “ that which is most conformable to nature is at the

y Prolegomen. De Legibus Naturæ Sect. xvi.

“ the same time best, and most delectable.”
Whence it follows, that a life led suitably to the nature of human minds is the most agreeable life in the world ; and therefore the most happy. Nor is there besides this any other happiness which deserves to be called *human*. What is *Virtue* but the *vigor* and good temper of every faculty, and the natural *order* of all the faculties, one with respect to another ? And what is *happiness*, but the *exercise* of such faculties about *suitable* objects ? So that if happiness be not the *immediate consequence* of virtue, yet virtue is the indispensable *condition* of happiness.
“ A *right* line, says ² bishop *Cumberland*, is
“ the *shortest* between any two points ; from
“ a similitude to which, *virtuous* actions
“ being those which by the *shortest* way
“ promote the good of mankind, are in
“ their own nature right. The same actions however are said to be right, from
“ their conformity to the *rule* ; but then
“ this law or rule is right, because of its
“ shewing us the shortest way to our end ? ”

SECTION X. iii. From the former account of Virtue it is evident, that it cannot be acquired without *pains* and *exercise*. According to ² *Aristotle*, there are *three* causes of Virtue ; *nature*, *instruction*, and *custom*, or *exercise* :

² Prolegomen. Sect. xvi.

² Ethic. ad Nicom. Lib. X. Cap. ix.

exercise : the *first*, he observes, is not ἐφ' ἡμῶν, in our power, but from some *divine* cause ; and as to the other *two*, he makes *custom* to preceed *instruction* ; whereas it is plain, a young person must first be taught what he is to pursue, and what to avoid ; before he can accustom himself to the doing good actions, and forbearing the contrary. ^b *Xenophon* justly observes, that “ as bodily actions
 “ require the exercise of the *body*, so do
 “ mental actions the exercise of the *mind* ;
 “ without which men can never perform
 “ well what they ought, nor abstain from
 “ the contrary.” And for this reason he recommends the company of good men, as a kind of exercise of virtue. *Frequent exercise*, next to *prayer*, is then the best *general* direction for acquiring the virtues. Since the natural state of mankind at present agrees very much with the description of *Aristotle*.
 “ Virtue, says he, is neither by *nature*, nor
 “ *contrary* to nature. We are born with a
 “ faculty, or capacity of becoming virtuous ;
 “ but, as for the virtues themselves, we
 “ must gain and perfect them by use. And
 “ herein, as he well observes, lies the grand
 “ difference between those accomplishments
 “ of *virtue*, and the gifts of *nature*. Our
 “ senses of seeing, hearing, tasting, or given
 “ us first, and used afterward ; and they are
 “ given us in their perfection : whereas vir-
 “ tue

^b De Memorabil. Socratis, Lib. I. Cap. i.

“tue is first practised, and by practice acquired and improved.” And it must be an assiduous practice that fixes the bent of the will the right way, and plants virtue in a nature so fruitful in vicious productions. The particular *directions* for the attainment of Virtue may be read in *Cnellius's Ethica Aristotelica*, *More*, *Whitby*, and others.

SECTION XI. iv. The *Virtues* are never found *asunder*. It was the universal opinion of the *Philosophers* that there is an *inseparable connexion* between them. “They are many, but *undivided*,” said the *Scoics*; not a link can be missing, but the whole chain is broken and dissolved. And from what was observed under the *fifth* head the truth of this opinion is apparent. Whoever is truly virtuous in *one* instance must be so from a principle of *conscience*, or a conviction of the sovereign *authority* of God; which makes virtue his duty. He who sincerely reveres this authority in *one* virtue will do the same in *all*, since the *same* authority supports all. Such a one further loves Virtue for the *moral goodness* there is in it, or as it is virtue; suited to the dignity of a reasonable and immortal nature, and consonant to the eternal laws of reason. Now all this is not peculiar to one or more of the virtues; but *common* to all: and, consequently, he who is not resolved

* *Cicero*. De Offic. Lib. II. Cap. x. & *Stobaei Eclog.*

resolved for *all* is not affected to *either* of them as he ought to be. His love, if he has any, is blind, or mercenary; a prepossession of nature or education in behalf of it; or occasioned by something adventitious and extrinsic. ^d *Ut vulgus ita nos loquimur, &c.* “We speak with the vulgar, when we attribute *fortitude* to one man, *goodness* to another, *prudence* to a third; these are popular words, and used in compliance with the opinion of the vulgar.” The Virtues then always go together, not that they are therefore *equal*. He who has *one*, has *all*; but he may not have all in the *same degree*; perhaps it is hardly possible he should. He discerns an amiableness in all the parts of virtue, and therefore embraces all; yet the beauty of one strikes him more sensibly than another. His circumstances call him more to the exercise of one than of others; by which means, he makes a proportionably greater progress in it. Besides that every age, state and condition, has some virtue or virtues, which in a peculiar manner become it: as *modesty* is the virtue of youth, *gravity* of old age, *affability* of the rich, *contentment* of the poor. ^e *Cum virtutibus inter se sit concordia, &c.* “Though there is an agreement among the virtues, and one is not better or more honourable than another
“ther

^d Cicero. Officiis, Lib. II. Cap. x.

^e De Clementia, Lib. I. Cap. v.

“ ther, says *Seneca*, the *Stoic*, yet one virtue
 “ suits some persons better than another.”
 To the same purpose ^f *Cicero* ; *Officia non*
eadem disparibus Ætatibus tribuuntur ; alia
sunt juvenum, alia seniorum, alia constantis
ætatis.

SECTION XII. v. No regularity of beha-
 viour, if owing merely, or chiefly, to the fear
 of punishment, can be called virtue. *Virtue*
 is in the will ; but the will in defiance of this
 fear remains the same ; as will soon appear,
 if the fear be removed : like an elastic body
 which being put out of its natural state by
 a violent pressure, upon the taking away of
 this pressure presently restores itself again.

§ ——— *Vir bonus est quis ?*

Qui consulta patrum, qui leges, juraque servat :
Quo multæ magnæque secantur judice lites :
Quo responfore, & quo causæ teste tenentur.
Sed videt hunc omnis domus, & vicinia tota
Introrsum turpem ; speciosum pelle decora.
Nec furtum feci, nec fugi, si mihi dicat
Servus : habes pretium, loris non ureris, aio.
Non hominem occidi : non pasces in cruce corvos.
Sum bonus & frugi : —renuit negat atque Sa-
bellus :

Cautus enim metuit foveam lupus, accipiterque
Suspectos laqueos, & opertum milvius hamum.
Oderunt peccare boni virtutis amore :

^f In *Catone Majore*.

§ *Horatio* Epistol. Lib. I. Epistol. xvi.

Tu nihil admittes in te formidine pœnæ.

Sit spes fallendi ; miscebis sacra profanis.

Who then is good ? who carefully observes
The Senates's wise decrees, nor ever swerves
From the known rules of justice and the laws :
Whole bail secures, whose oath decides a cause.
Yet his own house, his neighbours thro' his art
Behold an inward baseness in his heart.

Suppose a slave should say, I never steal,
I never ran away— “ Nor do you feel
“ The flagrant lash”—no human blood I shed—
“ Nor on the cross the ravening crows had
“ fed”—

But, Sir, I am an honest slave, and wise—
“ My *Sabine* neighbour there the fact denies.”
For wily wolves the fatal pit-fall fear ;
Kites fly the bait ; and hawks the latent snare ;
But virtuous minds the love of virtue charms :
The fear of chastisement thy guilt alarms.

Francis.

SECTION XIII. vi. The *characters* impressed by the *necessity* of times and circumstances are not *moral Virtues*, whatever *semblance* they may have of such. I cannot therefore but think an ingenious^h *Author* to be quite mistaken, when speaking of the *manners* of *Homer's* times, he has these words. “ The
“ *man* who had bravely defended his city :
“ enlarged its dominion ; or died in its cause,
“ was revered like a god : love of liberty,
“ and

^h *Blackwell's Inquiry into the Life and Writings of Homer.* Sect. IV. Page 53.

“ and contempt of death, with their noblest
“ consequences, honour, probity, and tem-
“ perance, were *realities*. There was a *ne-*
“ *cessity* for those virtues: no safety to life,
“ or fortune without them— And no won-
“ der if the man who learned these virtues
“ from *necessity*, and the things themselves,
“ knows them better than schools and sy-
“ stems can instruct them; and that the
“ *representations* of such genuine characters
“ bear the marks of *truth*, and far out-
“ shine those taken from counterfeit worth,
“ or fainter patterns.” Such manners may,
for ought I know, *shine* more in *poetry*, but
are not really *better*, neither will they bear
a strict examination. The *general* rules and
description of virtue must limit and regulate
that, which consists in men’s acting accord-
ing to their *particular* characters. *Admodum*
tenenda sunt sua cuique, saysⁱ *Cicero*: “ Every
“ man should with the utmost care support
“ his peculiar character.” Very true, pro-
vided it can be done consistently with virtue,
according to the limitation he adds, *non vi-*
tiosa. And this shews the absurdity of what
Cicero advances concerning *Cato*, that he
was bound to *kill himself*, that he might
support the *constancy* and *inflexibility* of his
character. ^k *Epietetus* also carries this, which
he calls acting κατὰ πρόσωπον, agreeably to a
person’s

ⁱ De Officiis, Lib. I. Cap. xxxi.

^k *Arrian* in *Epiet.* Lib. I. Cap. ii.

persons peculiar character, and manners, to a great excess, in that imaginary and ridiculous scene which he represents. “*Epietetus*, “*shave thyself*—If I am a *Philosopher*, I refuse to do it. *But I will take off your head if you will not*—As to that, you may do as you please.”

SECTION XIV. From the nature of *Virtue*, as explained in this chapter, it is very easy to form a notion of *vice*. *Vice* then is the settled bent of the will to actions dissonant to right reason, dictating duty. The difference between *vice* and *sin* lies in this, that the former signifies an evil habit, the latter an evil action. A habit is said to be evil, 1. From its cause; which are sins of omission, or commission. Note here, by the way, that supposing a habit not to be the effect of these, or that these are the effects of necessity, it is not a vice, nor properly to be called a sinful habit. Ποθεν το Κακον; whence had evil its original? was a question that exercised the *Heathen* world. Some had recourse to an evil principle, or *anti-god*, co-eternal with the good, and as powerful in the production of evil, as his rival in the production of good. Others charged it on the obliquity and perverseness of matter; which they judged to be invincible. Others complained of their stars; but all these are idle imaginations: vice, or moral evil, has no other

other beginning than the *freedom* of the will; as all *natural* evil springs from *moral*. 2. From its effects; every evil *habit* having a natural tendency to produce evil *actions*. 3. In *itself*, and from the *contrariety* which is found between it and the *law*. For the law in forbidding actions morally evil, must be construed to forbid whatever has a direct tendency thereto. Not that sinful habits have a separate and distinct guilt; but do very much aggravate the sins which gave them birth. For every sin is the more heinous for its contributing, and being *known* to do so, towards the effecting of a vicious habit; which afterwards becomes a plentiful spring of bad actions. The *nature* and the *distinctions* of *sin* are the proper business of the *divine*.

SECTION XV. I now pass on to the consideration of the *particular Virtues* which are usually ranged under these *four primitive* ones; *Prudence, Justice, Fortitude, and Temperance*. These have been long called the *cardinal* virtues; because morality turns upon them, as on its *hinges*. When they are the product of *natural principles*, they are *pagan* virtues; only *graft* them upon *another stock*, and let them spring from *faith*, and you *exalt* their nature, and with that change their name, into *christian*. Besides which there are some *peculiarly* styled *christian*,

tian, or *theological* virtues: such as *faith*, *hope*, *heavenly-mindedness*, and the like. Though I have mentioned the famous division, which branches the *moral virtues* into *four*, I do not intend to follow it; but shall make choice of the division given by an¹ *inspired* Author, who branches them into *sobriety*, *justice*, and *piety*; to which I shall prefix a brief consideration of *prudence*, *sincerity*, and *fortitude*: *Prudence* being the *eye*, *sincerity* the *life* and *soul*, and *fortitude* the *guard* of the other virtues.

¹ St. Paul's Epistle to *Titus*, Chap. ii. 12.

Consult on the subject of this Chapter,

Cicero. De Officiis, Lib. I. Cap. xxvii, xxviii.

Crellii Ethic. Aristotel. Part. II. Cap. i, ii. &c.

Mori Enchir. Ethic. Lib. I. Cap. iii. Lib. III. Cap. iii.

Cumberland. De Legibus Naturæ, Cap. VIII. Sect. i, ii, iii.

Grew's Cosmologia Sacra, Book II. Cap. vii.

Hartcliffe of moral and intellect. Virtues.

Temple's Essay on heroic Virtue.

Butler's Analogy, &c. Dissert. on Virtue.

Blackwell's Inquiry into the Life and Writings of *Homer*, Sect. iv.

Grove's Wisdom the first spring of Action, Works, Vol. X. pag. 72—80.

Nettleton's Treatise on Virtue and Happiness, Edit. iii. Part III. Sect. iii.

CHAP-



CHAPTER II.

Of Prudence, its nature, objects, importance, rules; its various distinctions; and the methods of acquiring it.

SECTION I. ^a *PLATO* styles *Prudence* the leading *Virtue*. And ^b *Cicero* to the same sense says, “ that not one of “ the virtues can want prudence :” which is certainly most true ; since without prudence to guide them, *piety* would degenerate into *superstition*, *zeal* into *bigotry*, *temperance* into *austerity*, *courage* into *rashness*, and *justice* itself into *folly*. *Prudence* is thus defined by the ^c *Roman Moralists* ; *Est rerum expetendarum fugiendarumque scientia*. “ The knowledge of what is to be desired, or avoided.” I shall vary very little from this in the definition which I give you of it. *Prudence* is an *ability* of *judging* what is *best*, in the *choice* both of *ends* and *means*.

K 2

I. Of

^a De Legibus, Lib. III.

^b Tusculan. Quæst. Lib. V.

^c De Officiis, Lib. I. Cap. xliii.

i. Of the *end*. This is either the *general*, or *ultimate* end of man ; or some *particular*, and *subordinate* end. The first ought to be *absolutely and simply best* ; the latter *best in the kind*. “^d A life led according to *Vir-tue* is the ultimate end, says *Aristotle*.” The *glory* of the Creator, and the *happiness* of the creature in the injoyment of his *favour*, says *right reason*. *Particular* ends are innumerable ; but as they are all *subjected* to the *supreme* end, so as to have their *goodness* estimated by their *subserviency* to it, and their lawfulness by their *consistency* with it ; so they are not placed upon the same level among themselves, but some are *higher*, some *lower*. In debating therefore the particular end of any action, it is not only to be considered how it may be reconciled with the general end of all, but with other particular ends ; which are of greater importance than itself. The necessity of fixing a right end, in order to act prudently, gave occasion to that common saying,

Quicquid agas prudenter agas, & respice finem.

Do all with prudence, and regard your end.

ii. Of the *means* which are to be *adapted* to their *end*. To this some have likewise added, that they must be *lawful* and *honest* ;
but

^d *Ethic. ad Nicom. Lib. II. Cap. x.*

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but there is no need of making this limitation: for it being first supposed that prudence aims at a *good* end, no means can be proper for the attainment of that end, which are not agreeable to honesty; so that *honesty* is always the *best policy*. If an end is not to be compassed but by unjustifiable methods, prudence rejects it as inconsistent with our supreme end; which is the standard to all others. To the right choice of the *means* in the various pursuits, and occurrences of life, a distinct knowledge of many particulars is required; wherefore ^e *Aristotle* observes, that prudence is not so much conversant about *universals*, or what is in general good for man; as about *singulars*, or what is to be done by this or that man, in this or another particular juncture.

SECTION II. *Prudence* requires a knowledge of persons.

i Of one's *self*, one's *genius* and *abilities*. That sentence, which is reported to have been inscribed, in *golden* letters, at the entrance of the temple of *Delphos*, is by the ^f *Poet* taken in this sense, as it is well capable of it.

E cælo descendit Γνωθι Σεαυτον.

K 3

And

^e *Ethic. ad Nicom. Lib. VI. Cap. viii.*

^f *Juvenal Satir. xi.*

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And a little after,

— *Buccæ*

*Noscenda est mensura tuæ, spectandaque rebus
In summis minimisque, etiam cum piscis emetur.*

From Heav'n to mankind, sure that rule was
sent,
Of *Knowthyself*, and by some God was meant
To be our never-erring pilot here,
Thro' all the various courses which we steer.
Congreve.

A man who goes into the market, and without consulting the strength of his pocket bids money for the greatest rarities, is not more ridiculous than another, who engages in an affair for which he is not at all qualified. ^g *Ad rem gerendam autem qui accedit, &c.* “ The person who undertakes an affair should not only consider the honour which would arise from performing it well ; but whether he himself be qualified to effect it : that he may not decline it through a lazy timorousness, nor be too forward through a desire of honour.”

SECTION III. ii. To constitute a man prudent, he must have a *knowledge* of other persons, their *capacities*, *interests*, *humours*, *passions*, *quality*, *characters*, and *education*. A
main

^g *Cicero. De Officiis, Lib. I. Cap. xxii*

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main part of prudence is, according to Cicero,
^b *Conciliare sibi animos hominum, & ad usus suos adjungere.* "To ingage the affections
" of others, and dispose them to promote
" our happiness." And how this may be
done, we may learn from the same author ;
who, in the place referred to, has a great
deal to this purpose. What would be de-
cent before an *equal*, would not be so in the
presence of a *superior*. A *jest*, which might
pass with a *good tempered* man, and an ac-
quaintance, would be resented by a *stranger*,
and one who is *morose* and *severe*. A man
educated in one *Party*, and since come
over to *another*, is not immediately to be
trusted. I would never enter into a *friend-
ship* with one, whose *interest* lay chiefly
among my *enemies* ; nor employ in any af-
fair those, whose want either of *integrity*,
or *capacity*, would give me just reason to sus-
pect the event.

SECTION IV. Another thing necessary to
prudence, is the knowledge of actions. 1.
As to their intrinsic nature, whether they
be *good*, *evil*, or *indifferent* : for it is in this
view that a man's actions affect his chief
and final end. 2. As to the *estimate* which
is made of them in the world, whether they
are of *good* or *evil report* ; will give a handle

K 4

for

^b De Officiis, Lib. II. Cap. vi, vii, viii. See also Horat.
Epistol. Lib. I. Epistol. xviii.

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for censure, or be inoffensive. 3. As to their *circumstances*. For prudence, which accommodates itself to the diversity of circumstances, will advise us to do that on one occasion, which it dissuades us from at another. This is the meaning of these two *proverbs* seemingly contrary, and yet immediately following one another. ⁱ *Answer not a fool according to his folly, lest thou also be like him. Answer a fool according to his folly, lest he be wise in his own conceit.* And so the *Pythagoreans* had both these sayings, Επὶ τῇ λεωφορῷ βαδιζεῖν. Επὶ τῇ λεωφορῷ μὴ βαδιζεῖν. *Walk in the common track; walk not in the common track;* as both of them necessary to be practised in *different* circumstances. The circumstances of *time, place, and manner* of performance, are all considerable. For some actions the *present* time is best; either because of their great necessity and consequence; which in a life so uncertain, will not admit of delays: or, because there is no time for deliberation; the action must be done now, or not at all. But when the occasion is not so pressing, a man will wait for the most *favourable opportunities* of doing the action. Every thing is beautiful in its season. What ^k *Cicero* says of the virtue, which from the *Greeks* he calls Εὐλαξία, *Ordinis conservatio, well timing* things, may
very

ⁱ Prov. xxvi. 4, 5.

^k De Officiis, Lib. I. Cap. iv,

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very well be applied here. *Est scientia opportunitatis, &c.* “ It is the knowledge of
“ chusing the fittest times for performing
“ any thing——Such an order is to be ob-
“ served in actions, that as in a regular dis-
“ course, so in life, all our actions might
“ be well disposed with regard to each other,
“ and harmonize. For it is shameful and
“ very faulty, when engaged in a serious
“ affair, to indulge that light and sportive
“ conversation, which suits well enough to
“ a feast.” So for *place*; a *reproof* before
company exasperates; which might have
had a good effect, had it been given *privately*. And it is the same as to the *manner*
of performing an action. Nothing gains
upon the heart so irresistibly as kindness and
beneficence; but then they must be rightly
managed. For to do a kindness, on pur-
pose that another may be known to be obli-
ged to me; putting him in mind of the
greatness of the favour, is one way of insult-
ing him. ¹ *Isthaec commemoratio quasi expro-*
bratio est immemoris beneficii. “ This put-
“ ting one in mind of a kindness done him,
“ is indirectly reproaching him with forget-
“ fulness of a benefactor;” saith *Sofia* to
Simo.

SECTION V. Lastly, Prudence observes
the *effects* and *consequences* of actions, It is
this

¹ *Terentii Andria*, Act. I, Scen. i.

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this *prospective* faculty, that is the chief characteristic of prudence. *Istuc est sapere*, says ^m Terence, *non quod ante pedes modo est videre, sed etiam illa, quæ futura sunt, prospicere* “ This is wisdom, not merely to “ discern what is just before us, but to fore- “ see events at a distance.” Accordingly “ Cicero makes *prudencia* to be but a contraction of *providencia*, or *foresight*; and in another place has these excellent words. “ *Inter hominem & belluam hoc maximè interest, &c.* “ In this mankind chiefly differ from the brutes; that these governed “ by their senses, attend to, and are affected “ solely by, what is present; having very “ little apprehension of what is past or future. Whereas man, by virtue of that “ reason of which he partakes, discerns the “ consequences of things, and traces out “ their causes; is no stranger to what is past, “ nor unapprehensive of what is to come. “ Comparing like causes and events, and “ applying observations made on the past to “ the present or future time, he thus easily “ regulates the whole course of his life, and “ provides for all future cases and wants.” It is from hence that prudence came to be of so great consequence, and advantage, in the conduct of life; in so much that

Juvenal

^m *Adelpb.* Act. III. Scen. iii.

ⁿ *De Legibus*, Lib. I.

^o *De Officiis*, Lib. I. Cap. iv.

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* *Juvenal* could say,

Nullum numen abest si sit prudentia —

“ The man who shapes his course by the
“ direction of prudence and virtue, need
“ not dread the strokes of fortune;” whom
the Poet treats as a fictitious deity, the
refuge only of the idle and inconsiderate;
who when they pursue foolish measures lay
the blame of their ill success upon for-
tune.

—— *Sed te*

Nos facimus fortuna deam cæloque locamus

Fortune was never worshipp'd by the wise,
But set aloft by fools, usurps the skies.

Dryden.

SECTION VI. To form this judgment of
futurity, prudence keeps in view the times
past, and comparing *similar* causes, and
events, proceeds with the greater confidence.
For this reason prudence has been made the
privilege of old age. Thus ¹ *Achilles* ad-
dresses *Nestor*.

O facunde senex, ævi prudentia nostri.

O wise old man, our age's oracle.

And

* *Satir.* x.

* *Ovidii Metamorph. Lib. XII.*

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And *Persius* reckons it among the things
that are seldom known.

— *rerum prudentia velox*
Ante pilos venit —

For prudence fam'd, tho' not mature in years,
And *Homer* assigns *counsel* as the province of
the old; *action* of the young. *Iliad*. Lib. iv.
The young man has no experience, says *Andronicus*; and so *Elibu* in *Job* xxxii. 7.
Multitude of years should teach wisdom. The
same things come round again in human
life; and from what *has been*, we learn to
guess at what *will be*. But then as it gene-
rally happens, that there is some new cir-
cumstance attending the case, this ought to
be taken into the account^f. And when the
cases are not perfectly alike, and so many ac-
cidents besides may intervene, we ought to
make sure of the event; for, after all, *prudence*
is but the *art of conjecturing*.[†] The objects
of science, are things *necessary*; of prudence
things *contingent*; which may fall out one
way or another. And therefore what the
^u *Historian* says, *Vigilando. agendo, bene*
consulendo, prospere omnia cedunt. “By vi-
gilance, activity, and consulting the wise,
all

^r Lib. VI. Cap. ix.

^f Upon probability consult Bishop *Butler's* Analogy, In-
troduct.

[†] *Aristotel.* Ethic. ad Nicom. Lib. VI. Cap. v.

^u *Sallust.* De Bello Catalinar.

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“ all things are made to issue well,” must be understood as *generally*, not *always*, made good by experience. * Bishop Cumberland well observes, “ that where the *profit* arising from any action is *contingent*, it yet admits of a certain valuation ; as is plain not only from games at dice and the like ; but from agriculture and merchandize ; and almost from every thing about which the industry of man is employed : and this profit is the natural reward of making a prudent choice—It is indeed *possible*, that he who lays that he will throw the first time two sixes with two dice, may gain the bet of him who lays he cannot : yet it is demonstrable from the nature of the thing, or from the *cubic* figure of the dice, that there are thirty-five cases in which it may not happen, against one in which it may ; and that therefore the expectation of the one was worth thirty-five times as much as the other : and therefore before the decision, these thirty-five chances against one may be justly reckoned a real advantage, or natural reward for making the wiser choice.” Though therefore the events of actions, about which human prudence is conversant, be not absolutely certain ; it is yet well worth our while to endeavour to come as near to certainty as we can, and to regulate our conduct accordingly.

* De Legibus, Cap. V. Sect. lviii.

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ly. And in this uncertainty of events what shall a wise man do? Let him follow these few rules.

SECTION VII. i. Let him enterprize nothing from which there is a prospect of *more evil* arising than *good*; or of as *much* evil as good: for a wise man will not act without proposing some probable advantage. From this principle ^y *Grotius* draws the following consequences. 1. If the thing in question, judging morally of it, appear to have an *equal disposition* to produce the good as the evil, it ought not to be chosen; but upon supposition, that the good includes a *greater degree* of good, than the evil does of evil. For instance, a man would not act rashly, as ^z *Puffendorf* observes, who upon an *equal hazard* should risque *ten crowns* to gain an *hundred*. Upon this foot the argument for the *wisdom* of *Religion* has been urged with great strength. For say the opinion of a *future state* be not *more probable* than the contrary; yet since the *reward* of the *good* man in a future state, should there be any such, will be so *exceedingly great*: and upon supposition there be no other life besides this, what he *loses* by his strictness and self-denial is so very *inconsiderable*, every prudent man will find himself obliged to be religious.

^y De Jure Belli et Pacis, Lib. II. Cap. xxiv. Sect. 5.

^z De Jure Naturæ et Gentium, Lib. II. Cap. iii.

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 ligious. 2. In case the good and evil which
 may follow appear *equal*, we ought not to
 proceed to action, unless there be a *greater*
likelihoood that the action will produce the
 good, than that it will produce the evil.
 3. If the good and evil appear *unequal*, as
 well as the disposition of the action to pro-
 duce the one and the other ; we ought not
 to determine, unless the *disposition to produce*
the good, compared with the opposite dispo-
 sition, surpasses it in a *greater proportion*,
 than the evil surpasses the good : or, in case
 that the good compared with the evil is *more*
considerable, than the disposition of the action
 to produce the evil, compared with the con-
 trary disposition ^a. To these conclusions of
 Grotius, ^b Puffendorf adds a fourth ; if we
 cannot pass a *judgment* of the good or evil of
 a thing, nor of its disposition to produce the
 one or the other, wisdom requires us to *let*
it alone, unless obliged thereto by some ne-
 cessity. This is the *first rule*.

SECTION VIII. ii. Let him do what ap-
 pears *most adviseable*, and *commit* the event
 to *Providence*. *Hac ratione incerta quæ*
sunt certa facit. “ Amidst the greatest un-
 “ certainties, the man who in well doing
 “ casts himself upon the care of infinite wis-
 “ dom, is certain of a favourable event.”

iii. In

^a Cicero. De Officiis, Lib. I. Cap. xxiv. & Gravii Not.
 in loc.

^b De Jure Naturæ et Gentium, Lib. I. Cap. iii. Sect. 7.

iii. In every affair, let him *consider* this *uncertainty* of things, and *make allowance* for it in the *schemes* which he forms, and the *expectations* which he entertains. This is the way to be *aforehand* with a *disappointment*, and to *save* one's self from all *after reproaches*. *“Hoc est quare sapienti nihil contra opinionem dicamus accidere, &c.”* “This is
 “the reason of our saying, that nothing
 “happens to a wise man contrary to his
 “expectations. Not that we except him
 “from the common misfortunes of life;
 “but from the *false judgments*. Every
 “event does not indeed turn out as he
 “*wished*, but as he *thought* it might; for
 “he always thought his designs might be
 “disappointed.”

SECTION IX. Upon the whole then *two* things are necessary to the idea of prudence;
^d *Εὐβουλία*, or *due consultation*, that is, concerning such things as demand consultation, in a *right manner*, and for a *competent time*, that the *resolution* taken up may be neither too *precipitate*, nor too *slow*. The other part of prudence is *Συνεσις*, a faculty of *discerning proper means* when they occur. To the *perfection* of prudence these *three* things further are required, *Δεινότης*, a *natural sagacity*. Prudence to appear with any lustre must in
 part

^c *Senecæ De Tranquil. Cap. XIII.*

^d *Andron. Rhod. Lib. VI. Cap. xiii.*

part be a gift of nature ; though, in the *grand* affair of all, our happiness is that every man may be *equally* prudent. *Αγχινοα* is a *presence of mind*, or such a *ready* turn of thought, as helps a man to expedients on a sudden push ; and, when he has no time to make many reflexions. For this quality, *Ulysses* is commended by the *goddess* of wisdom. And, lastly, *Εμπειρια*, or *experience*. This is of great use to improve natural sagacity. These several terms are *Aristotle's*. I cannot say I have joined exactly the same ideas to all of them that he does ; neither have I ranged them in the same order : but, if, as I have explained and disposed them, they serve to illustrate my subject, I have what I proposed.

SECTION X: Prudence is divided into *christian, moral, and civil*. *Christian* prudence directs to the pursuit of that *blessedness* which the *gospel* discovers, by those *means* which the *gospel* prescribes. The *end*, or blessedness discovered, is the *enjoyment of God to eternity* ; the *means* prescribed, are *faith and holiness*. As far as it regards a *man's self*, it leads him to the choice of this future blessedness, as his own immediate end ; and to diligence in his application to the duties of Christianity, as the means of procuring him a part in it. As this prudence instructs him in his conduct

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toward

e See *Homeri Odyss.* Lib. xiii.

towards *others*, it shews itself in taking the best methods, to set them right in their chief end, or in the means of obtaining it. If a person *err* in his *faith*, to convince him of his error prudence will inform us, that we are to make use of *reason* and *argument*, not of *force* and *passion*: for these two latter were never known to gain their end. They may extort a verbal, or feigned assent; but cannot be supposed fitted to beget a real one. Upon this account the *Papists* are certainly mistaken in their fiery methods of converting men to the faith; and however their *charity* may come off, which I doubt will be very badly, their *religious prudence* miserably fails them. I say, *religious*; because [†] *the wisdom which is from above is peaceable*: but, as there is another which the *Scripture* calls *devilish*, I own they have a very fair claim to this wisdom. To recommend religion in the *practice* of it, prudence will not represent it in a dress of *severity* and *rigor*; and as an enemy to all pleasure: but with all the *charms* which can work upon a reasonable, and ingenuous nature. *Moral* prudence (I take the word in a restrained sense) has for its end, *peace* and *satisfaction* of mind in *this* world, and the *greatest* happiness *after death*, that *unenlightened reason* will encourage men to hope for: and enjoins the practice of the *moral virtues* as the *means*. *Civil* prudence

[†] James iii. 17.

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is the knowledge of what ought to be done in order to secure the *outward* happiness of life, consisting in *prosperity*, *liberty*, the *love* and *esteem* of those with whom we converse, their *assistance* as often as needed, and a *quiet* undisturbed enjoyment of all that we possess ; and this in *subordination* to the happiness of a *future* state.

SECTION XI. Another division of prudence is into *monastic*, *oeconomical*, and *political*. By *monastic*, or private prudence, I do not mean that for which a man has occasion in a state of *solitude* ; but any where, and in any circumstances, without considering him as charged with the care of others. This prudence will teach a man to maintain as much as possible the *tranquility* of his mind, by living according to reason, and keeping his passions under strict government. Which, by the way, is a convincing argument, that virtue is as much a matter of prudence, as of conscience. In the choice of an *employment*, prudence is especially necessary. See what ^s *Cicero* says at large upon this head, concerning which he takes notice, that it is *deliberatio omnium difficillima*, a deliberation of great weight, and difficult to be well determined. In general, we are to take care, that it be *honest*, that it be *creditable*, and that it *suit* well our *genius* and talents.

L 2

“ Let

^s De Officiis, Lib. I. Cap. xxxi, xxxii, xxxix, xlii.

" Let every one therefore study his own
 " genius, and be an exact observer both of
 " his good qualities, and defects ; lest he
 " use less prudence than actors on the stage.
 " Shall every one, who makes his appear-
 " ance there, chuse the part for which he is
 " best fitted, when he acts only in a feign-
 " ed character, and soon puts it off again ?
 " Shall he see the necessity of this thing ;
 " and a wise man not see it, in real life ? "

Prudence is further concerned in *regulating*
 every man's *friendships* and *acquaintances*,
 that they be *virtuous*, and such by whom
 he may *improve* ; in the conduct of his *acti-*
ons and *discourse*, that there be nothing *shock-*
ing or *displeasing* in them ; and in endea-
 vouring after such *recommending* qualities,
 as may endear him to others, and fix them
 in his interest. See to this purpose the cha-
 racter of *Pamphilus* in *Terence*. *Andria*,
 Act. I. Scen. i.

Sic vita erat : facile omnes perferre & pati, &c.

" His manner was, easily to bear with eve-
 " ry one, to give up his own humour to
 " that of his company, crossing none, but
 " complaisant to their desires, and never
 " preferring himself to others." This cha-
 racter, under the restrictions of religion and
 virtue, I would propose to your imitation :
 for, as *Simo* adds, " thus with the most ease,
 " and

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“ and without being envied, you will acquire praise, and make friends.” *Oeconomical* prudence regards the conduct of a family, as *political* does the good government of a state : both which are out of my line at present.

SECTION XII. The extremes of prudence are *craft* or *cunning* on the one hand, and *folly* on the other. *Craft* or *cunning* is the pursuit of an ill end, by direct and proper, though not *honest* means. This, in *Scripture*, is called *fleshly wisdom*, and the *wisdom of this World* ; by the *Greeks* Πανεργία. Hear what ^b *Cicero* says of it. *Prudentia sine justitia nihil valet ad fidem faciendam, &c.* “ Prudence “ separate from justice, will no way dispose “ persons to place confidence in a man ; on “ the contrary, the more artful and crafty a “ man appears, the more he will be suspected, and hated ; having lost his character “ for probity. Prudence joined with justice, “ will command universal esteem, and confidence ; justice without any considerable “ degree of prudence, will go a great way ; “ but prudence without justice, can command no esteem or trust.” — ⁱ Wherefore “ all kind of artifice is to be banished, “ and that malicious cunning which would “ assume the name of prudence, but is of a
L 3 “ nature

^b De Officiis, Lib. II. Cap. ix.

ⁱ Ibid, Lib. III. Cap. xvii.

“ nature directly opposite. For prudence
 “ consists in distinguishing and chusing
 “ aright between good and evil ; but a ma-
 “ licious cunning (if every thing that is
 “ wicked be evil) prefers evil to good.” A
 man with the character of *probity* will have
 his share of trust and credit in the world,
 though he be defective in prudence ; but
 every one will be upon his guard against the
 cunning. So that, upon this account, though
 craft may seem to be an *excess* of prudence, it
 appears to be in reality a *defect* ; and much
 more upon another : for it is the same as
 being *wise* in *trifles*, and playing the *fool* in
 matters of *infinitely* greater moment. The
 other extreme is *Ασυνεσία*, *stupidity*, or *folly* ;
 being either a *mistake*, both as to the *end*, and
 the *means* ; or prosecuting a *good end*, by *for-*
foreign and *improper means*. He who would
 be *rich* purely for the sake of being so, and
 thinks to obtain his wish in a course of *idle-*
ness, and *prodigality* is a finished fool ; and
 errs both in the end, and the means. He
 who imagines he shall *please* God by *super-*
stition, and *will-worship*, is a *half fool* ; pro-
 poses a good end, but makes use of the most
 unsuitable means.

SECTION XIII. The two general *Directi-*
ons I would recommend for acquiring this
 Virtue, are,

i. Ob-

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i. *Observation and reading.* A wise man will make the errors of others his glass, whereby to correct his own.

* *Inspicere, tanquam in speculum, in vitas omnium*

Jubeo, atque ex aliis sumere exemplum sibi.

“ Make the lives of others your *glass*, and
“ from thence learn to imitate what is beau-
“ tiful, and to correct what is otherwise.”

And because every one has not had time and opportunity for much observation; *reading* should be added to supply the defect. The world is a great *theatre*, where the *same passions* in different ages, and places, give birth to much the *same events*; so that by looking into *good history*, more especially the *lives* of particular men, we make ourselves cotemporary with our forefathers, and profit by their examples; which are set up as lights to guide us in our course, and warn us of those rocks against which we should otherwise strike.

ii. *Sobriety of manners.* For as¹ *Aristotle* well remarks, “ The intemperate man in-
“ jures none of the intellectual habits, so
“ much as he does prudence. His irregu-
“ lar life makes him nevertheless capable of
“ seeing, that a *triangle* contains the sum

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“ of

* *Terent. Adelph. Act. III. Scen. iii.*

† *Ethic. ad Nicom. Lib. VI. Cap. v. & Cap. xii.*

“ of two right *angles*, which is *science* ; or
 “ of knowing after what manner a *ship* is
 “ to be built, which is *art* ; but as to those
 “ things which fall under *moral action*, his
 “ judgment is miserably perverted. From
 “ hence, he says, a *temperate* man seems to
 “ be styled σοφρων, because φρονησιν σωζει, he
 “ preserves his discretion ; and concludes,
 “ that it is manifest none but a *good man*
 “ can be *prudent*.”

Besides the Books cited, read on this chapter.

Cornel. Nep. in Vit. Attici.

Crellii Ethic. Aristotel. Part. II. Cap. xxix.

& *Christian. Lib. I. Cap. iii.*

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C H A P.



CHAPTER III.

Of Sincerity; the Nature and Objects of it; the extremes of it, and motives to cultivate it.

SECTION I. *SINCERITY* is not so much a single virtue, as the lustre and glory of all the rest; and that, from which they derive both their *being*, and *perfection*. It may be defined in short after this manner: *Sincerity* is that excellent *habitude and temper* of mind, which gives to virtue its *reality*, and makes it to be what it *appears*. What the soul is to the several parts and members of the body, which it actuates and unites, *sincerity* is to the *virtues*; their *essential* form, their *vital* and *unitive* principle: by which they are knit together, and from which they have all their motion and vigour. *Απλότης*, *simplicity*, is included in this virtue, but does not express the whole idea; let us therefore add *Αληθεία*, *truth*. Of which two the *first* stands in opposition to what is *mixed* and *adulterated*; the *other* to what is *counterfeit*. As *sincerity* is opposed to *mixture* it cannot be said that *human* virtue

tue is ever *absolutely* sincere in *this* life ; in regard that in the most refined virtue there is somewhat of *alloy*. But as to all those mixtures which *alter* the *species* and denomination, they are inconsistent with sincere virtue. Gold, though not intirely separated from baser metals, is gold still, because the nobler *species predominates*. As sincerity stands opposed to what is *counterfeit*, it properly admits of no *degrees* ; and in this sense all virtue is *equally* sincere, since no virtue can be a mere appearance. To be sincere, is to *be*, and *appear*, the *same* thing ; to scorn shifts and disguises, to be virtuous not from *interest*, but *principle* ; and to act so, that the motives and ends of every action, as well as the action itself, may bear the open light. Sincerity does not pry upon the surface, but reaches the thoughts, and imaginations, and desires of the soul.

Vir bonus non modo facere, sed ne cogitare quicquam audebit, quod non audeat prædicare.

“ A good man will not only be afraid to do, but even to *think* any thing, which he dares not publish to the world.” A man sincerely virtuous would not do an ill thing, though absolutely secured against all discovery. Speaking of Gyges’s fabulous Ring, which was reported to render the wearer of it *invisible*, ^b *Cicero* has these remarkable words,

^a De Officiis, Lib. III.

^b Ibid. Cap. ix.

words, *Hunc ipsum annulum, &c.* " If a truly
 " good man were in possession of this ring,
 " he would not think himself more at liber-
 " ty to sin, then if he had it not ; for it is
 " *honesty*, not *secrecy*, that he studies."

SECTION II. *Sincerity* has respect to *two*
 sorts of *objects* ; *persons*, and *things*. Of the
 first kind are *God*, *other men*, and every
man's self. Sincerity, as immediately respect-
 ing, *God*, signifies, that besides the *form* of
 religion, a man has the *power* of it too ; that
 his devotion and obedience are not mere
 shew and outside, like a *painted* fire, or the
 charms of an *artificial* beauty ; but *substan-*
tial and *unaffected*. That his piety is the
 result of religious consideration, and not
 owing to education and the mode ; is not
 taken up in compliance with worldly policy,
 and no longer-lived than the temporal ad-
 vantages to be reaped from it. That he is
 religious in *retirement*, as well as in the
 view of men ; is not off, and on, in religion ;
 but proceeds in one general method, and un-
 der the influence of steady and lasting prin-
 ciples. There are two or three things *seem-*
ingly opposite to this virtue, which will be
 found not to be so. Religion may spring in
 part from the *fear of punishment*, and yet be
 sincere ; it may want to be *assisted* by fre-
 quent considerations of the divine *omnipre-*
sence in order to its making head against
 tempta-

temptations to evil ; and yet may be genuine. That our virtue needs such motives and helps as this, I confess proves its *imperfection*; as the obedience which flows from *pure love* must be more acceptable, than that which is the mingled off-spring of love and fear : and a perfect spirit contemplates the supreme Being as an object of wonder, delight, and imitation ; not as his idea is necessary to awe the mind, and prevent irregularities in its motions: Such a spirit often thinks of the presence which surrounds him, because he delights in the thought ; not because he needs it to confirm him in his duty. Neither, further, does a regard to a *future happiness* destroy the sincerity of our virtue : for the *perfection* of virtue is a great part of the happiness hoped for ; and the glorious *object* of it, is the fountain of all that is lovely and excellent.

SECTION III. *Sincerity*, as it regards *men*, implies an *honesty*, and *openness*, in our dealings with them ; such an honesty as extends not to our *outward* actions only, but to the springs, and motives, on which they turn. That we do not impose upon others with a plausible outside, and deceive them into an imagination, that we act from conscience, when there is no such thing. That our words and our thoughts hang together, and our actions suit with our words. Or to express

press it otherwise, that we *spe*ak, as we *think*, and *act*, as we speak; and that this appearing integrity proceeds from *nature*, not from *art*; is the effect of a warm sense of what is becoming, and our duty; not of a mere reflexion, that a mock-sincerity will be of service to us in the world. There is what passes among men for sincerity, which in truth is not so; because produced by an *inquisitive* temper. Thus we see some affect to be *thought sincere*, that others may be the same with them; and laying aside reserves, may open to them their hearts, inclinations, and designs. In their desire to know which, they discover a *vicious curiosity*; as they frequently do a great deal of *ill-nature*, in the use which they make of this knowledge. Again, that is not sincerity, which is assumed purely from a *niceness* of *reputation*; and because we cannot bear to be treated as artful and imposing. When we seek to gain authority and esteem among men, that we may be credited on our bare words; a thing which mightily tickles our vanity. Neither can that be called sincerity which men take up just to *serve a turn*, and to make use of as an instrument in business; that having stolen the hearts of people, that they may have their assistance, or their custom. When they are sincere in order to be trusted, and from a politic observation that credit is of the highest necessity in the concerns of life; and
will

will almost supply the want of every thing else. I do not say these considerations are *irreconcilable* with sincerity ; but that they ought not to be the *only*, or the *chief* motives to our practising it : and yet how often are they made so ? Yet again, that is not *sincerity*, which proceeds from *pride*, or a good conceit of one's self. The world is not without those, who stand so high in their own esteem, and imagine themselves possessed of so much true worth, that they can bear to be familiarly handled ; and to be admired and loved, need only to be well known : for this reason they are exceeding open and free ; not that they love plain dealing, but because they abound with self-love and vanity. To be short ; a man is not sincere for giving himself a *bad* name, merely to prevent a *worse* ; though this be what is often done. Self-love is ingenious in managing our very defects. It perceives that such as industriously hide their failings, or obstinately justify them, only make others the more diligent and sharp sighted to pry into their conduct, and the more ready to expose and magnify their defects : And that on the contrary, the world is always most favourable to the seemingly humble and sincere. Upon this consideration self-love obliges us to acknowledge our errors, when they are not to be denied, or defended ; and to carry it with an air of deference to our reprovers : whereby
we

we divert the world from being such strict observers of our actions, and dispose them to treat our defects the more favourably.

SECTION IV. *Sincerity*, with relation to a man's *self*, is opposed to *self-deception*. The sincere man flatters not himself with an opinion of his being master of virtues which he has not ; wherein he is followed by very few. For how prone are mankind to play the cheat with themselves, and to use all their art in disguising things to their own minds ? One man finds that excess disorders his body, as well as puts him out of the possession of his reason ; and, therefore, for no higher end than to preserve his health, and his capacity of enjoying pleasure, keeps within bounds : and this he calls temperance. Another considers that to whine and sob under a calamity would but disgrace him, and make him appear with a diminutive figure : to avoid therefore the dreadful reproach of pusillanimity, he bears up with a seeming resolution, and lets not his impatience be seen : and this he terms fortitude. A third has observed, that to be unjust and fraudulent arms mankind against a person ; and for this only reason deals upon the square : and this he fancies to be justice. In fine, a man is *insincere*, as often as a man is *shy* of conversing with *himself*, dares not be plain with his own heart, and let conscience speak

Speak out ; studiously seeks to be ignorant of his true state, believes the picture which self-love draws for him, and through a slight superficial view represents himself to his own mind, not what he is, but what he would be taken to be.

SECTION V. As to *things, truth, and goodness* are the principal *objects* of sincerity. With regard to *truth*, the great question is, whether sincerity destroys the *imputableness* of error ; so that a man *sincere* in his *searches* after truth has nothing to fear from the errors with which he is charged, even though they should prove to be such ? I make no difficulty of answering in the *affirmative*. It may be said, that this will serve alike as an apology for *all* religions, and *all* opinions. Not at all—for though the *heretic*, and he who professes a *false* religion, may *sincerely believe* the notions which they embrace, they are not therefore justified ; for this is not the sincerity here supposed ; but a *sincere love* of the *truth* : and that implies such a *diligent* and *persevering* application to all the means of information, whether *prayer* to God, *reading* and *meditation*, *purity* of heart, *freedom* from *prepossessions*, *humility*, and the like ; that it is impossible such a lover of truth should not have the approbation of a merciful and omniscient God ; and that being approved by him, he should notwithstanding

withstanding be suffered to fall into destructive errors. With regard to *goodness*, the question is, whether the *sincere desire* of it, necessarily signifies the existence of the thing? I answer, by distinguishing between a love of *desire*, and *delight*. There cannot be a sincere and prevailing *delight* in goodness, without the actual enjoyment of it; or a thorough *renovation* of mind, if we have been *corrupted*. But there may be a *desire* of it, and there always is, before the thing itself can be obtained; because this desire is a condition of attaining it. But then supposing this desire to be sincere, which it cannot be, unless it engage a person to use all proper means for procuring the thing desired, goodness itself must necessarily follow. And what can be said more in praise of sincerity, than that the very desire of truth and goodness, if sincere, shall be rewarded with the possession of the things themselves?

SECTION VI. The *extremes* of *Sincerity* are *over-frankness*, and *hypocrisy*. On the one hand there is an *over-frankness*, a *lavish* and *indiscreet* openness of behaviour, or a needless exposing one's self to every body's view, without the least care to hide even our failings and imperfections. Sincerity does not oblige a person if he has a blind, or a weak, side presently to make it known, and to publish his follies to all who will give him

the hearing. "It is a shameful thing, says *Isocrates*, for a man to walk with his breast so open, that every body may look into it." It may argue a great deal of *simplicity* to utter all a man knows; but it is not a simplicity of the *right* kind. Sincerity has its secrets of which prudence has the keeping. "The *Art of Conversation*, (says "one, who was himself a master of it) if any one can hit it, seems to be; an *appearing freedom of openness*, with a *resolute reservedness* as little appearing as possible." This excess of *sincerity* is a *defect* of *prudence*. There is indeed no danger from it but in our converse with *men*; in transacting with *God* we cannot be too plain and particular in the confession of our miscarriages; even of those which are most shameful. That unreservedness which might draw on us the contempt of men, will be our best recommendation to God.

SECTION VII. The other *extreme* is *hypocrisy*. *In omni vita simulatio dissimulatioque tollenda est*, says ^d *Cicero*, "*Simulation* and "*dissimulation* are to be wholly banished from "our conversation." He condemns these vices as they are inconsistent with a particular virtue; I understand the words in a larger

^c *Tillotson* in his Sermon on Evil-speaking. Vol. I. Serm. xlii.

^d *De Officiis*. Lib. III. See also *Aristotel*. *Ethic*. ad *Nicom*. Lib. IV. Cap. vii.

ger extent, as contrary to sincerity in general. *Simulation* is making a thing *appear* which does *not exist*; *disimulation* is keeping that which *exists* from *appearing*. All *disimulation* is not *hypocrisy*. A vicious man who endeavours to throw a veil over his ill life, that he may escape the notice of men, is no hypocrite; though he is a sort of dissembler. A man is no more obliged to proclaim his secret vices, than any other of his secrets. Neither is it hypocrisy for an honest man to make the *best* of his virtue, and set it off to the greatest advantage; as prudence requires this, so sincerity cannot forbid it. The *hypocrite* is he who dissembles for a *bad end*, and hides the snare that he may be more sure of his prey; and not content with a *negative* virtue, or not appearing the ill man he is, makes a shew of *positive* virtue, and appears the man he is not. He endeavours to put off adulterate wares by a false light, and to pass false coin upon the world for true, when it is only a baser metal washed over. ^e *Totius autem injustitiæ, &c.* says Cicero, "Of all kinds of injustice there is none more criminal than theirs, who when they cheat us the most, endeavour to appear good and honest men." ^f *Socrates*, as *Xenophon* informs us, "would call him an impostor, not who cheated ano-

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ther

^e De Officiis, Lib. I. Cap. xiii.

^f *Xenophon*. De Memorab. Lib. I. Cap. viii.

“ther of a little money and the like; but
 “rather and more especially the man, who
 “being really of no value deceives others,
 “so far as to make them believe him suffi-
 “cient for the greatest employments.” The
 hypocrite is a *double* person; he has one per-
 son which is natural, another which is arti-
 ficial: the first he keeps to himself, the
 other he puts on as he does his cloaths to
 make his appearance in before men. It was
 ingeniously said by *Basil*, “that the hypo-
 “cite has not *put off the old man*, but put
 “on the *new upon it*.”

SECTION VIII. I will conclude this Chap-
 ter with the reflexion of an ^z *Author* I have
 quoted before, as a *motive* to the study of
 this virtue. “Truth and reality have *all*
 “*the advantages* of appearance and *many*
 “*more*. If the *shew* of any thing be good
 “for any thing, *sincerity* is *better*; for why
 “does any man dissemble, or seem to be
 “what he is not, but because he thinks it
 “good to have such a quality as he pretends
 “to? For to counterfeit and dissemble is
 “to put on the appearance of some real ex-
 “cellency. Now the best way in the
 “world, for a man to *seem* to be any thing,
 “is *really* to be what he would seem to be.
 “Besides, that it is many times as trouble-
 “some to make good the pretence of a good

“quality,

^z *Tillotson's Sermons on Sincerity, Works, Vol. II.*
Folio, Sermon. 1.

“ quality, as to have it ; and if a man have it
 “ not, it is ten to one but he is discovered to
 “ want it, and then all his pains and labour
 “ to seem to have it are lost.” This thought
 is much the same with that of *Socrates*, as
 cited by ^h *Cicero*. *Præclare Socrates banc*
viam ad gloriam proximam, & quasi compen-
diariam, esse dicebat, &c. “ *Socrates* said
 “ excellently, that this was the shortest and
 “ most compendious way to glory ; for a
 “ man to apply himself to be such in reali-
 “ ty, as he would be thought to be. That
 “ if any thought they could by pretence and
 “ vain ostentation, by feigned words and
 “ artificial looks, secure a lasting reputation ;
 “ they were greatly mistaken. True glory
 “ is like a tree, which shoots deep its roots,
 “ and produces its proper fruit ; whereas all
 “ feigned virtues wither soon as blossoms
 “ falling from the tree ; nor can any mere
 “ appearance be lasting.” “ Thus discours-
 “ ing ⁱ *Socrates* dissuaded his followers from
 “ ostentation and hypocrisy, and urged them
 “ to the study of true virtue.”

^h De Officiis, Lib. II. Cap. xii.

ⁱ *Xenophon*. De Memorabil. Lib. I. Cap. vii. & Lib. II.
 Cap. vi.

Read on the Subject of this Chapter.

Aristotel. Ethic. ad Nicom. Lib. IV.
 Cap. vii.

Xenophon. De Memorabil. *Socrat*. Lib. I.
 Cap. vii. & Lib. II. Cap. vi.

Cicero. De Officiis, Lib. I. Cap. i.

Mori Ench. Ethic. Lib. I. Cap. iii.

Whitby Ethic. Lib. II. Cap. ii.

Tillotson's Works, Vol. II. Sermon. i, xxxi,
xxxii, xxxiii.

More's Discourses, Discourse iii.

Clagett's Sermons, Vol. II. Sermon. xi.

B. Calamy's Sermons, Sermon. vii, xii.

Needham's Sermons, Sermon. iii.

Butler's Sermons, Sermon. vii, x.

Clark's Sermons, Vol. VII. Sermon. ix.
Vol. VIII. Sermon. xiii.

Evans's Discourses, Vol. II. Sermon. xv, xix.

Grove's Works, Vol. I. pag. 81, 344.
Vol. II. 148. Vol. IV. 154, 163.

Hoadley's Prefervative, pag. 89, &c.

—Answer to the Convocation. Sect. xxi.

—Answer to Dr. *Hare's* Sermons, pag. 164.

Jackson's Grounds of civil and ecclesiastical Government. pag. 57, &c.

Barnet's answer to Mr. *Law*.

Pyle's answer to Mr. *Stebbing*.

—Vindication against Mr. *Law*.

Sykes's Innocency of Error, and its Vindication against Bp. *Potter's* Charge.

Balguy's Tracts moral and theological, first Letter to a Deist.

—*Sylvius's* examination against Mr. *Stebbing*.

—Letter to Dr. *Sherlock*, and Defense of it, in answer to Mr. *Stebbing*.

Tatler, N^o. 138, 237.

Speculator, N^o. 557.

Guardian, N^o. 352.



CHAPTER IV.

Of Fortitude ; its Objects, Rules ; the several Distinctions of it ; of Magnanimity, Equanimity, Patience, Meekness, Constancy, and Presence of Mind ; of Self-murder, and Duelling.

SECTION I. **I** HAD occasion in the Chapter concerning *Virtue* in general to observe, that *Fortitude* has been particularly distinguished by that name ; and to the honour of this virtue I now add, that not only *profane Authors* often use the word virtue in this restrained sense, but the *Scriptures* too. ^a *Add to your faith virtue*, την Αρετην, not *Virtue* in general, but the particular virtue of christian *Fortitude* ; for other virtues are immediately particularized as necessary to be added to this ; which shews that it is a single virtue which is there recommended. *Fortitude* is in this text made to stand in the front of the virtues ; which is the place

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assigned

^a 2 Pet. i, v.

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assigned it in morality, and its proper station. The mind must be prepared by this virtue to acquire, or maintain the rest. The *entrance* to a virtuous course is beset with difficulties and hardships, and the good man threatened with dangers all along in his way.
^b *Nemo justus esse potest, qui mortem, qui dolorem, qui exilium, qui egestatem timet.* “No
 “ man can be steadily good, and just, who
 “ fears death, or pain, or banishment, or
 “ poverty.

SECTION II. There is what *falsly* carries this name; such is that which we may call *mechanical* courage, a *natural* intrepidity and daringness, often met with in those who have a great deal of fire in their constitutions. This, where there is not *wisdom* and *virtue* to temper it, is a most lawless quality. Therefore *Homer* calls *Mars*,

Αφρονα τεινον—Ος ετινα οιδε θεμισα. *Iliad*. Lib. V.

“ A mad power that hath no regard to justice.” And thus ^c *Horace*, after him, describes his Hero *Achilles*;

Jura neget sibi nata, nihil non arroget armis.

Scorning all judges, and all law but arms.

A-kin

^b *Cicero*. De Officiis, Lib. II, Cap. xi.

^c De Arte Poet. vers. 122.

A-kin to this is that courage, which derives its birth from some *reigning passion*; for there is hardly any one of the passions, when it is violent, but has its champions; whom it inspirits and imboldens to a strange degree. The *miser* can rush through flames to save his wealth; and the *lover* carry his life on the point of his sword for the sake of his mistress. But the Passions which have most filled the world with *heroes*, are *vain-glory*, and a *dread* of the reproach of *cowardice*. It is the property of this courage, that it acquits itself honourably in the view of the *public*; but *fails* a man when there are no such foreign props to support it. He who appears unappalled in the *field of battle*, and perhaps would do the same on a *scaffold*, trembles when death approaches him on a *sick bed*. *Alexander* was a memorable instance of this kind; who after all his martial exploits, and his familiar acquaintance with death, in its most dreadful forms, when a *disease* attacked him was fearful even to superstition. ^d *Cicero* has an observation not very much different from this. *Sæpe enim multi, qui aut propter victoriæ cupiditatem, aut propter gloriæ, &c.*

“ It is very often seen, that many persons;
 “ who animated with the desire of victory
 “ or glory, or of preserving their rights and
 “ liberties, have bravely born the danger
 “ and

^d Tusculan. Quæst. Lib. II. Cap. xxvii.

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“ and the pain of wounds; destitute of the
 “ aid of this passion, have not been able to
 “ bear well pain and disease. The resolu-
 “ tion they manifested, in the former in-
 “ stances, being the effect, not of reason and
 “ philosophy, but of ambition or resent-
 “ ment—Nothing can be constant, which
 “ is not founded in reason, the only steady
 “ principle.”

SECTION III. It is of *Fortitude*, as a *vir-
 tue*, that I am now to treat; and as this is the
 only fortitude properly so called, it may be
 known by this definition of it. *True cou-
 rage* is such a *firmness* and *resolvedness* of soul,
 inspired by a sense of what is *just* and *honour-
 able*; as amidst all the dangers and evils to
 which human life is incident, inables a man
 steadily to pursue the *dictates* of conscience
 and prudence. In this definition is contain-
 ed the *seat* of this virtue, the *object*, and the
measure of it. The *seat* of this virtue is the
rational soul; from whence it follows, that
 brawny limbs, a firm constitution, and fer-
 mented blood, are not the things which make
 up a *Hero*. A sort of courage this is, upon
 which brutes may boast themselves, as well
 as mankind. The *vigour* of nature may be
 a good *foundation* for courage, but does not
 constitute the formal notion of it: courage
 being a quality of the *mind*, and consisting
 particularly in the resolution of the *will*,
 sup-

supported by *reason*. The *objects* of courage are the *evils* of life; whereof some are *unavoidable*, as earthquakes, inundations, fire, sickness, and the like. These, not taking the last into the number, * *Andronicus Rhodius* calls τα ὑπὲρ Ανθρώπων κακά, evils *above man*, impending over him, and surpassing his strength to encounter; and says, there is no one but must fear them. The office of fortitude here is, to *qualify* our *fears* of these evils, that they may never *confound* and *astonish* the mind; and when any of them arrive, to receive it with an *equal* mind. Others of these evils are *avoidable*, but not without *quitting* our *honesty*; such are all the difficulties and dangers, which may happen to attend the faithful discharge of our duty; and all the inconveniences which we suffer for our adherence to truth. Fortitude will arm us with *resolution* to *enterprize* any action which our *duty* demands of us, however difficult or *hazardous*; and to *persevere* in well-doing, though with the *prospect* of a variety of evils: which if we should actually *suffer*, courage will so harden us, that we may not *sink* under them, or be tempted, through impatience, to *forsake* our duty.

SECTION IV. From what has been already said, it is obviously gathered, that courage does not exclude *all* fear; and therefore
these

* Lib. III. Cap. vii.

these words of ^f *Aristotle* are not true but in a qualified sense; Αφοβος ο Ανδρειος, the *valiant* is *fearless*. There is a great *difference* both between *things* and *persons*. There are *some things* which *ought* to be feared. ^g Αδοξίαν μὲν φοβέσθαι καλόν, μὴ φοβέσθαι δὲ αἰσχρόν. “It is for a man’s credit to fear infamy, and his disgrace not to be afraid of it.” To which we may add the *displeasure* of an *almighty* God. Not to fear infamy, as that *Moralist* observes, is a sign of *impudence*; not to fear God, a sign of *impiety*. Nay, a virtuous courage *supposes* fear; for why is it that men prefer καλὸν θάνατον καὶ σεμνόν, “an honourable and glorious death,” before ignominious bondage, or doing a base action; but, because they dread these more than they do such a death? And as there are some evils which *ought* to be feared, so others which, upon account of the *greatness* of them, *cannot* but be *terrible*. Thus we find our ^h *Lord* himself in an agony, at the apprehension of the dark scene through which he was to pass. There is likewise a vast difference among *constitutions*. In some constitutions it is *impossible* that fear should be ever *extinguished* by fortitude; the business of which therefore is so to *moderate* and rule the passion of fear, that it may not hurry

^f Ad Nicom. Lib. III. Cap. vi.

^g Ut supra.

^h Luke xxii. 43.

ry a person away he knows not whither ; but leave him the full use of his reason and liberty. ⁱ *Harum est virtutum, &c.* “ It “ is the property of magnanimity and fortitude to dread nothing *excessively*, to “ make small account of all human things, “ and think nothing that can happen to us *intolerable*.” And, with this proviso, a *mechanical coward* may have more *true* bravery, than those who are most undaunted at the sight of dangers. For courage is a strength of *mind*, not of *natural temper* ; and he who continues steadfast and unshaken on the side virtue, notwithstanding all the assaults of adversity, is a person of *heroic* courage ; though at the same time he may have a *weakly* and *timorous* complexion ; which is so far from lessening the merit of his courage, as to add a peculiar circumstance of glory to it. The trial of strength is opposition ; and certainly he who hath his *own nature* to struggle with, as well as *external evils*, and who *overcomes* both ; discovers a *greater* strength and vigor of *soul* than another, whose difficulties lie all *without* him ; his body conspiring with his mind to push him forward.

SECTION V. The *rule* or measure of *fortitude*, is a *conscientious prudence* ; which cuts off the *soldier*, who fights merely for *pay* or *fame* ; the man of *honour*, who gives or ac-

cepts

ⁱ *Cicero. De Officiis, Lib. III. Cap. xxvii.*

cepts the *challenge*; and the *self-murderer*, from any claim to this virtue. There is a *spurious* courage, in which, it is true, may be found some of the *materials*; but without prudence to form them into a virtue. Prudence always proposes some good, and honourable end; ^k Ο μὲν εὖ ἀνδρείος, &c. “The
 “ brave man does every thing for the sake
 “ of something truly honourable;” and for the obtaining of this end, prudence advises to proper means. Whereas, all the foregoing instances of mistaken valour, fail in one, or both of these respects. The *soldier* who draws his sword in a *good* cause, but aims *only* at *glory*, mistakes in his *end*; tho’ as the ^l *Author* just cited observes, we ought not to be too nice in examining the valour of military men, which in a good cause is equally useful to their country, whatever be the view upon which they act. His reason is, that they are fitter for war, the less they have of moral courage, and the other virtues; in which I can hardly be of his mind. He who fights to satisfy his *revenge*, or a *punctilio* of *honour*, fails in the *end*, and not seldom in the *means*; while instead of avenging himself on his enemy he falls under his sword. And the same may be said of the person who to get clear of the evils of life, cuts the thread of it with his own hand.

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^k *Andron. Rhod. Lib. III. Cap. viii.*^l *Ibid. Cap. ix.*

SECTION VI. There are *two* parts usually assigned to this virtue of Fortitude, *aggredi* & *sustinere*, to *act* and to *bear*; both which ^m *Cicero* comprehends in his definition of it. *Fortitudo est dolorum laborumque contemptio*; "Fortitude is a superiority of mind both to pain and labour." On which division of the parts of courage, we may found a distinction of fortitude into *active* and *passive*. *Active* courage signifies a *virtuous ardor*; which carries a man on towards the *glorious end* he has in view; notwithstanding the *labours, dangers, and difficulties*, that are in the way. This again may be divided into *civil* and *military*; between which ⁿ *Cicero* draws a *comparison*, and gives the preference to the former. To this we may apply those fine lines of ^o *Horace*.

*Iustum, & tenacem propositi virum,
Non civium ardor prava jubentium,
Non vultus instantis tyranni
Mente quatit solida; —*

The man resolv'd, and steady to his trust,
Inflexible to ill, and obstinately just,
May the rude rabble's insolence despise,
Their senseless clamours, and tumultuous
cries;

The

^m De Officiis, Lib. III. Cap. xxxiii.

ⁿ Ibid. Lib. I. Cap. xxii.

^o Lib. III. Od. iii.

The tyrant's fierceness he beguiles,
 And the stern brow, and the harsh voice
 defies,
 And with superior greatness smiles.

Addison.

It is impossible a magistrate should maintain his integrity in some circumstances, who has not a good stock of this virtue. The other, as ^P Cicero says, *Probe definitur a Stoicis, cum eam virtutem esse dicunt propugnantem pro æquitate*, "is well defined by "the Stoics, valour employed in defence of "justice." *Passive* fortitude imports a mind *firm*, and *erect* under evils.

SECTION VII. The *extremes* of this virtue, are, on the one hand, *rashness*, and *insensibility*. *Nunquam omnino periculi fuga*, &c. "We "must never to avoid danger, incur the just "imputation of being irresolute, and coward- "ly; nor, on the other hand, should we ex- "pose ourselves to dangers without necessi- "ty; than which nothing can be more fool- "ish. We should therefore with regard to "dangers, imitate the method of physi- "cians; who apply gentle remedies to slight "disorders: and only when compelled to it, "by the greatness of the disease, venture on "bold, and hazardous prescriptions. When "the weather is calm to wish for a tempest "that

^P De Officiis, Lib. I. Cap. xix.

“ that we may shew our resolution, is the
 “ part of madmen ; but when a tempest
 “ overtakes us, to bear up against it, and
 “ by every proper method to weather it, is
 “ the part of a wiseman.” This is ^a *Ci-*
cero's caution against *rashness*. And as to
insensibility, there is a passage of ^r *Androni-*
cus Rhodius worth quoting. “ To sink under
 “ evils, is inconsistent with true fortitude;
 “ not so, to be *affected* with them. On the
 “ contrary, the more *sensible* preception a
 “ man has of the evils which he *suffers*,
 “ which yet he is *contented* to suffer for the
 “ sake of virtue ; so much the more properly
 “ may he be said to be courageous.” On the
 other hand, are *fearfulness*, and *impatience*.
 These two last are opposed to boldness, and
 resolution in *general* ; the two former are
 opposed only to that kind of boldness and reso-
 lution, which is *regulated* by *prudence*. *Rash-*
ness, and *fearfulness*, if we speak properly,
 suppose evils to be *future* ; *insensibility*, and
impatience suppose to them to be *present*.
Aristotle only mentions as *extremes* of for-
 titude, *φοβος*, και *θάρρος*, *fear*, and *audacity* ;
 and it is a good remark of his *paraphrast*, that
 whereas the *audacious* are *precipitant*, and
 plunge headlong into dangers, from which
 they as *hastily* seek to withdraw themselves,

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when

De Officiis, Lib. I. Cap. xxiv.

Lib. II. Cap. ix.

Ad Nicom. Lib. III. Cap. vii.

when they are involved in them: men of true courage, on the contrary, are *vigorous* in the conflict, but *modest* and *reserved* before.

SECTION VIII. The *Virtues* reducible to this head of *courage* are, *magnanimity*, *equanimity*, *patience*, *meekness*, *constancy* and *presence of mind*. As for *magnanimity*, no one hears the word but he has presently the idea of a *greatness* of *soul*, which raises a man above the *influence* of the *good*, or *evil* things of this world; so that he does not think the one *necessary* to make him *happy*, nor leave it in the *power* of the other to make him *miserable*. *Honour*, or *reproach*, *affluence*, or *poverty*, are alike unable to swell his passions above his reason; and to remove his mind from its true basis. *Sentio te sedem etiam nunc hominum ac domum contemplari*, &c. "I perceive you are now viewing the habitation of mankind; which if it appears to you, as it really is, of a small extent, let it determine you the more constantly to regard the celestial regions, and to despise the little affairs of men." These are the words of a *Heathen*, who, in another part of his writings, resolves this *magnanimity* into the love of *liberty*, and *independence*, which is natural to mankind. "Huic veri videntur cupiditas

* *Cicero. Somn. Scip. Sect. vi.*

* *De Officiis, Lib. I. Cap. iv.*

cupiditati adjuncta est appetitio quædam principatus, &c. “ With the natural desire of
 “ discovering truth is connected another de-
 “ sire of independence ; so that a mind well
 “ formed by nature likes not to be govern-
 “ ed by any, unless by those, who with
 “ superior knowledge inform and direct
 “ him, or with lawful authority command
 “ what is for the common good. Hence
 “ arises true greatness of mind, and a con-
 “ tempt of the world.” There is a great
 deal more in this reflexion than appears at
 first sight. He who will not be a slave to
persons, hating all subjection which is not
 founded in *duty*, or interest ; will, from the
 same principle, scorn to be enslaved to *things*.
 For slavery is the *same*, whosoever, or what-
 soever be the tyrant. The same Author
 gives a most animated description of this vir-
 tue, Lib. I. Cap. xx. which only its length
 hinders me from transcribing. Nothing cher-
 ishes this noble temper so much, as a sense
 of the *relations* wherein a man stands to the
Deity, and to an *eternal* world. Elevated
 by such thoughts, all other things will in a
 manner disappear to him. From this short
 account now given of *magnanimity* it ap-
 pears to be a mixed virtue, compounded of
 fortitude and temperance ; and further, that
 all, except the *honest*, and *good* man, are *stran-*
gers to magnanimity. Since had they that
 contempt of all human things which this

virtue implies, they would not for the sake of them *stoop* to do any thing beneath the *dignity* of the soul, condemned by its reason, and contrary to its great expectations. *Fabius Maximus*, supposing him to have acted from a just principle, is an admirable *instance* of this virtue. * “ It was his opinion

“ that *Hannibal* was to be weakened and
 “ consumed by delays ; not engaged in a set
 “ battle. Rightly judging, that in a fo-
 “ reign country it could not be long before
 “ he must moulder away of himself. But
 “ this slowness of *Fabius* was improved to
 “ his disadvantage, both at *Rome*, and in the
 “ army ; and *Hannibal*, to provoke the
 “ enemy to engage, would even come up to
 “ their intrenchments, and upbraid them
 “ with their cowardice. When his friends
 “ related this to *Fabius*, persuading him,
 “ that to avoid the general reproach, he
 “ would engage the enemy ; he answered,
 “ excellently, I should be more faint-heart-
 “ ed than they make me, if, through fear of
 “ idle reproaches, I should abandon my own
 “ reason. It was not for want of courage
 “ he used this method ; for after *Varro* had
 “ been so shamefully beaten with such vast
 “ numbers of the *Romans*, the very flower
 “ of their youth, and *Hannibal*, had he
 “ improved his victory, might have been at
 “ *Rome* in a few days ; in the general con-
 “ sternation

* See *Plutarch's Life of Fabius*.

“ sternation which seized the *Romans* at that
 “ time, *Fabius* was almost the only man
 “ that remained unmoved, and had his wits
 “ about him to advise them in that exi-
 “ gence. What *greatness* of soul was this !”
 In my opinion, both these actions compared
 together, he did not discover less magnani-
 mity in refusing to fight, when thereby he
 incurred the general imputation of cowardice,
 than by his fearless temper, in the public
 calamity.

SECTION IX. *Equanimity* is an even, uni-
 form temper of mind, amidst all the *varie-*
ties and *revolutions* of time, and chance.
 One of this temper is not *fawning*, when
poor, nor *haughty*, and *unconversable*, when
rich ; but equally affable, and good natured,
 in both conditions. This, together with
prudence makes up the character which *Ho-*
race gives of *Aristippus*.

Omnis Aristippum decuit color, & status, & res.

All *parts*, and *fortunes*, he alike became.

Equanimity is the immediate result of mag-
 nanimity, and no other than a proof and evi-
 dence of it. “ The truly great person, says
 “ *Andronicus Rhodius*, in the change of
 “ his circumstances, will always act worthy
 N 3 “ of

⁊ Lib. IV. Cap. v.

“ of himself, not rejoicing over much in
 “ prosperity, nor dejected in adversity. His
 “ opinion of honour is not extravagant, in
 “ which he knows how to behave himself
 “ with moderation; and much more in
 “ riches and power, to both which honour
 “ is preferable.” *Præclara est æquabilitas*
in omni vita, says ² *Cicero*. “ It is truly
 “ excellent to maintain an equal temper in
 “ every part of life, the same look, the
 “ same countenance. *Philip* of *Macedon*,
 “ with regard to the greatness of his victo-
 “ ries, and renown, was exceeded by his
 “ son *Alexander*; but superior to him in the
 “ easy evenness, and humanity of his tem-
 “ per. He was therefore *always great*;
 “ whereas, *Alexander* often acted *very base-*
 “ *ly*.” The reason, why the things without
 us are not able to produce any change in
 our inward temper, is this, that we are above
 the sphere of their activity, or possessed of
 true greatness of soul. As on the other
 hand, the frowns of the world mortify us,
 and its smiles transport us, because we put
 a disproportionate value on these things;
 or in other words, have *little narrow*
souls.

SECTION X. *Patience* preserves the mind
fixed and *unbroken* under the *evils* of life;
 keeps the spirits from growing tumultuous,
 and

² *De Officiis*, Lib. I. Cap. xxvi. read the whole Chapter.

and will not suffer a man to be carried into indecent or repining thoughts, or words, or actions; but disposes him to give a quiet hearing to the reasons of sound Philosophy, and calmly to follow them. The *means* of obtaining this virtue by way of *consideration* are such as these; the *nature* of all *worldly enjoyments*, that they are *fading* and *inconstant*—the happy *ease* and *tranquility*, of a resigned temper—the *restlessness*, the *distractions*, and the *unprofitableness* of impatience—the great *numbers* who suffer with us—these and such like considerations were suggested by the *Heathens*. But it is to be feared these alone will operate but faintly; or if they should be supposed to work a man into a *serenity* of soul, would yet leave him without the *virtue* of patience, which to be genuine must be derived from some *higher* source; from the *meditation* of *divine providence*, its *wisdom*, *equity*, and *kind intention*; and of a *future eternal* state of blessedness. The *means* to be observed by way of *practice* are such as these. 1. To make *short* and *voluntary trials* of this virtue in *smaller* matters first, and then in greater; and so to *harden* ourselves by degrees against all ungrateful occurrences. Herein, besides the *primitive Christians*, and St. Paul above the rest, we have the example of ^a *Socrates*, of whom it is related, that among the labours, or exercises

N 4

of

^a Aul. Gel. Lib. II, Cap. i.

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of which he made choice, wherewithal to afflict his body, in order to prepare himself for casual and unavoidable trials of his patience, he would stand whole days in the same place without shutting his eyes, or the least motion of his body. This was pursuing a good rule into an extravagance. 2. To keep *fair* with *conscience*, whose testimony will be an unspeakable refreshment, and support. 3. Prudently to *reckon* upon the *worst*, and make *provision* for it.

SECTION XI. Among other things which argue a *defect* of this virtue, *self-murder* is that which I shall particularly consider, proceeding from nothing else but the *impatience* of some evil, to escape which we take sanctuary in death : “ for to fly from things “ troublesome, says ^b *Andronicus*, is a mark “ of effeminacy, and cowardice.” I confess the ^c *Civil Law* speaks favourably of the self-murderer, who puts an end to his life, *tædio vitæ, vel impatientia doloris alicujus* ; “ through a weariness of life, or an impa- “ tience of some evil ;” and *suicide* was allowed by the *Legislators*, and by the *Philosophers* too, *Plato* himself not excepted ; who only differs from others in this, that he has not granted so general a licence. “ ^d A man “ may

^b Lib. III. Cap. vii.

^c Digest. XLVIII. xxi. 3, 4.

Vid. *Macrob.* in *Somni. Scipio.*

Chap. IV. *Rules, and Distinctions.* 185

“ may not not kill himself, *ἵνα ἀναγκη τινα*
 “ *ο Θεος ἐπιτεμῃ*; till God put him under
 “ some necessity.” By *God*, *Plato* here means
 every man’s particular *Demon*; *dominus ille in*
nobis deus, as * *Cicero* explains it. “ Such a
 “ necessity occurs, † *Mr. Dodwell* thinks, as
 “ often as a person cannot live without
 “ shame, and acting below his established
 “ character; that is, contrary to the nature
 “ of his *Demon*. *Suicide*, when it is for
 “ some passion of the lower soul, relating
 “ to the body, for love or fear, for worldly
 “ disappointments, or through impatience
 “ of the calamities sent upon men by pro-
 “ vidence, is sinful, by the principles of
 “ ‡ *Phædon*. A man’s killing himself for
 “ any cause of this kind, is breaking his
 “ prison, without his leave, to whose cus-
 “ tody he had been committed by the su-
 “ preme Being. It fixes those passions in
 “ him which gave occasion to his violent
 “ death, and by so doing does more indis-
 “ pose him for mounting to heaven, than
 “ when he was in the body. And withal
 “ brings him under a peculiar guilt for the
 “ violence offered to himself. But it is
 “ otherwise in the case of the necessity be-
 “ forementioned;” by which *Mr. Dodwell*
 endeavours to justify *Cato’s* murder of him-
 self,

* *Tusculan. Quæst. Lib. I.*

† *Apology for Cicero’s Philosophical Writings.*

‡ See *Plato’s Phædon*.

self, as ^h Cicero has likewise done. *Cato autem sic abiit e vita, ut causam moriendi natum se esse gauderet.* “Cato left life as
 “one who rejoiced that he was furnished
 “with a reason sufficient to justify his re-
 “signing it.” This Mr. Dodwell would
 have thought to be agreeable not only to
 the principles of *Plato*, but of the soundest
Philosophy, unimproved by *Revelation*. But
 after the evidence of reason against this
 practice in general has been considered, the
case of Cato will appear to be no just excep-
 tion. The *afflictions* which befall us, are not
 without the *order*, or superintending *permission*
 of *providence*; and therefore to withdraw
 ourselves from them, without the leave of
 God, is to reflect upon the wisdom and
 goodness of his dispensation. In case our
 sickness or calamity be such, that in all hu-
 man apprehension it will follow us to the
 grave; yet still we ought not to despair of
 surviving the affliction, nothing being im-
 possible with God. Nay, supposing it cer-
 tain, that our miseries will have no period
 but with life; even this will not excuse us
 in extinguishing life, that our troubles may
 be at an end with it. As no man gave
 himself life, he cannot have a right to take
 it away. “We are lifted under providence,
 “says ⁱ Mr. Collier, from *Plato*, and must wait
 “till

^h Tusc. Quæst. Lib. I.

ⁱ Essays, Part II. Essay iii. on the Value of Life.

“ till the discharge comes. To desert our
 “ colours will be of more than mortal con-
 “ sequence. He that goes into the other
 “ world before he is sent for, will meet
 “ with no good welcome.” Besides, God
 expects, when he afflicts, that we should
 suffer with a humble patience, by these
 examples to instruct the world, and dispose
 others to the same happy behaviour, in
 circumstances of trouble ; which design of
 God we directly defeat by self-murder.

SECTION XII. This reason of the suffer-
 ings of good men is mentioned by ^k *Seneca*,
 who vindicating the divine Providence, in re-
 lation to the afflictions of such, says, “ they
 “ suffer that they may teach others to bear
 “ afflictions well ; being born to be exam-
 “ ples.” But how does this consist with his
 apology for the providence of God towards
 suffering virtue, drawn from the *allowance* he
 has given to good men, to *rescue* themselves
 at *pleasure* from all their troubles by a violent
 death ? If they are *born for examples* of pa-
 tience, why do they hasten their own death,
 which puts them out of all capacity of be-
 ing serviceable this way ? Does not *Seneca*
 here attribute two opposite designs to God ?
 one, that good men should suffer, to teach
 others by their *example* ; the other, that he
 hath

^k De Provid. Cap. VI. & Epistol. xxiv.

hath made *death* the *more easy*, that they might *escape*, when they found it for their ease, from the *evils* of live ; and so give the world an *example*, not of *patient* bearing the yoke, but *slipping* their necks out of it? ¹ *Aristotle* says of the *self-murderer*, “ that he is *injurious* to the *commonwealth*, by depriving it of a member without its consent ; ” “ and this is the reason, adds his *Paraphrast*, that the laws punish such a one as far as they can, by denying his body the privilege of sepulture.” And, now, what is there in *Cato's* case, which should make that to be a virtue in him, which would have been a crime in another? For my part I see no other difference, but in the passion : his was *pride*, and *sullenness* ; whereas, the passions which drive most upon this desperate action, are *fear*, or *sorrow* ; which, in my judgment, carry in them more of excuse than the other ; because they cloud the reason, and work more *irresistibly*. “ It is pardonable, says the *Chorus* in *Euripides' Hecuba*, when any one who suffers “ for greater evils than he can bear, escapes “ out of a miserable life.” And I think their case requires more compassion, and admits of more excuse, than *Cato's*. It is but a poor defense, to say that *Cato* was not prompted by the *passions* of the *lower soul* ; for *wherever* his *pride* was seated, it was

¹ *Ethic*, ad *Nicom*. Lib. V. Cap. xvii.

was a very *ill quality*, and could not give him a privilege above other men.

SECTION XIII. Some *jetwifh* writers have excepted from the unlawfulness of self-murder one particular case, in which they look upon it as *ευλογος Εξαγωγη*, (I think it is *Philo's* phrase) a *justifiable* way of departing out of life; *viz.* when it is plain we cannot live, but to the *dishonour* of the *divine majesty*. Upon this foot, they defend the action of *Sampson*, and of *Saul*. But, as ^m Monsieur *Barbeyrac* says very well, “ provided we do “ nothing on our part against the glory of “ God; it is not our fault if we innocently “ give occasion to profane persons to deride “ the Deity.” Nor will this authorise us to violate the exprefs prohibitions he hath given us, whether by the law of nature, or revelation, not to abandon life without his exprefs leave. Mr. *Dodwell* mentions *two* cases wherein *self-murder* seems to be defensible by the *christian* religion; *martyrdom*, and the *preservation* of *chastity*. By *martyrdom* he means exposing one's life *without necessity* to the danger of it. But, excepting the case of an *extraordinary impulse* from the Spirit of God, as to which every man ought to be very cautious; such as throw away their lives after this manner, are not so much *martyrs*, to *religion*, as their
own

^m Notes on *Puffend. De Jure Naturæ & Gentium*, Lib. II. Cap. iv. Sect. 19.

own folly. By the sixth Canon of the Council of *Eliberis* it is enacted, that no persons, who die in their attempts to *deface* and *demolish* the *idols* of the *Gentiles*, should be numbered among the martyrs. And the *Circumcelliones*, who out of a *madness* for *martyrdom* would provoke others to kill them, or, being disappointed in that, would do it themselves, were reckoned no better than madmen. And, as for *chastity*, in defense of which the primitive Christians are said to *allow* of *Suicide*; forasmuch as there is no crime in *suffering* a force which a person cannot resist; it would be strange, if *self-murther* should be permitted to prevent the crime of *another*.

SECTION XIV. *Meekness*, as far as it concerns this virtue of *Fortitude*, is no more than a *partial* consideration of patience; or bearing *affronts*, *reproaches*, and *injuries*, with a due *composure* of mind. Contrary to this is revenge in general, of which the *Poet* observes,

—— *Minuti*

Semper & infirmi est animi exiguique voluptas.
Ultio; ——

Juv. Sat. xiii.

Revenge of weak and little minds alone
Is the delight : ——

and

and the ill custom of *Duelling* in particular. This custom had its original in the ⁿ *northern* nations from hence, that the *royal* authority being very much *limited* among the nations of *Germany*, and there being no towns in their country, the lands were governed by particular Lords. The consequence of this was, that when any differences happened amongst them, for want of some common head, by whom they might be determined, they took to right themselves by ingaging in private combats. Afterwards magistrates themselves appointed this practice, *ad erudendam veritatem*, to supply the want of evidence, in the differences brought before them. And no longer ago than the ^o *seventh* of *Charles* the *first*, the *duel* was adjudged in the court of *chivalry* between the plaintiff and defendant, with a certain *form* of words beginning with an *invocation* of the *Trinity*: though the combat was afterwards discharged by the authority of the King. At length this custom encroached so far, as to be a method of *satisfaction* in defiance to the law, and more especially in points of *honour*: and it is this last sort of duelling, which stands condemned in this place. For as he who gives the challenge has not patience to bear an affront; so he who answers it is afraid of reproach, and thus both are equally cow-wards.

^a See Memoirs of Literature for 1712. Vol. II. p. 363.

^o *Rusbrworth* abridged, Vol. II. p. 58.

ards. Besides which, were it pertinent to this place, I might take notice, that in duelling there is the greatest *injustice* towards God, in taking upon us to dispose of those lives, the *property* of which is not *ours* but *his*. That there is likewise *injustice* to the *civil magistrate*, in *wresting* the *sword* out of his hand, in affecting first to be *judges* in our own cause, and then to *execute* the sentence. There is, at least, the *intentional murder* of our antagonist, and an *injury* to the *relations*, in case either of the combatants be killed. *Society* suffers extremely by it, the public *peace* is infringed, the *laws* stand for *cypbers*, and *quarrels* are *multiplied* without end, and for mere trifles. Upon the whole, ^p *Cicero's* words may be justly applied here. *Cum sint duo genera decertandi, &c.* "As
 " there are two methods of determining
 " controversies, one by debate and argu-
 " ment, the other by force, and the first of
 " these is proper to man, the other to
 " beasts; we should only fly to the *last*,
 " when we cannot make use of the first."
 Though even this rule is not to be admitted without this limitation, that we make use of force by way of *prevention* of an injury threatened, not of *revenge* for one received.
 " The *antients*, says ^a one, slighted *small*
 " injuries, and looked upon it as a mean
 " thing

^p De Officiis, Lib. I. Cap. ix.

^a Memoirs of Literature; for 1712. Vol. II. pag. 369.

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“ thing to take notice of them ; and as to
“ *greater* injuries were taught, that it was
“ a lesser evil to *suffer* them, than to *do*
“ them. No one lost his reputation by
“ being abused ; but the note of infamy still
“ fell upon the person who abused another
“ man.” Indeed, it must be said in honour
of *Christianity*, that no religion, or institution,
so intirely forbids, and discredits revenge,
as that does. ^r *Aristotle* is accused of com-
mending revenge in *some* cases ; and ^t *Cicero*,
after having said, “ that it is a part of jus-
“ tice not to hurt another, adds, *nisi lacef-*
“ *situs injuria*, unless *provoked* by an *inju-*
“ *ry* :” whereas the ^t *Gospel* enjoins not only
abstinence from *revenge*, but the *love* of our
enemy.

SECTION XV. *Constancy* is a *steady adhe-*
rence to those *schemes*, and *resolutions* which
have been *maturely* formed : the effect of
which is, that a man never drops a good de-
sign out of *fear*, and is *consistent* with him-
self, in all his words, and actions. *Presence* of
mind is seen in *bitting* upon good *counsels*, and
happy expedients, in the most threatening
dangers. The difference between *this*, and
that *presence* of mind which I made a
part of *prudence* is, that this latter is tried by

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every

^r *Ethic ad Nicom, Lib. IV. Cap. v.*

^t *De Officiis, Lib. I.*

^t *Rom. xii. 19, 20, 21. Matth. v. 44.*

every sudden emergency, but the former by uniting the thoughts in the presence of danger. Such a presence of mind a general discovers, when, in the heat of battle, he calmly surveys the varying postures of the fight, and gives out proper orders.

Read on this Chapter.

Aristotel. Ethic. ad Nicom. Lib. III.
Cap. vi—xii.

Plutarch in Vit. *Epaminond.* & *Pelopid.*

— *Demosthen.* & *Cicer.* & *Brut.*

Cicero. De Officiis, Lib. I. Cap. xix, xx, xxi.

Crellii Ethic. *Aristotel.* Part. II. Cap. xiv.

— Ethic. Christian. Lib. IV. Cap. xxii.

Mori Ench. Ethic. Lib. II. Cap. iii.

Whitbii Ethic. Lib. II. Cap. iii.

Puffendorf. de Jure Naturæ & Gent.
Lib. II. Cap. iv. Sect. 19. Not. *Barbeyrac.*

Tillotson's Works, Vol. I. Serm. xxxiii,
xlii. Vol. III. Serm. clxiii.

Fleetwood's three Sermons against Self-murther.

Clagett's Sermons, Vol. IV. Serm. viii.

Clarke's Sermons, Vol. X. Serm. ii, ix.

Moss's Sermons, Vol. VI. pag. 417.

Balguy's

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Balguy's Sermons, Vol. I. Sermon. xiii.

Seed's Sermons, Vol. I. Sermon. i.

Evans's Sermons, Vol. I. Sermon. xix.

Adams against Self-murder.

Watts against Self-murder, Works,
Vol. II. pag. 357.

Miscellanies, No. 46, 60. Works,
Vol. IV:

Abernethy's Sermons and Tracts, pag.
257.

Steel's Christian Hero.

Rapin's Hist. of England, Vol. I. Life of
King *Alfred*.

Rowe's Life of Aristomenes.

Part. ii. Art. 8.

Fitz-Osborn's Letters, Vol. I. Letter. xiii.

Vol. II. Letter. lxxi.

Memoirs of Literat. Vol. II. pag. 936--89.

Bibliothèque Raisonnée, Tom. XVII.

Tatler, N^o. 25, 29, 39.

Spectator, No. 48, 97, 163, 164.

Guardian. No. 20, 31, 117, 129.

Old Whig on Self-murder.





CHAPTER V.

Of Sobriety, as it regards our Self-esteem, or Humility; and as it regards the Enjoyments of the Body, and the present Life in general.

SECTION I. *SOBRIETY, Righteousness, and Piety, make up the whole Duty of man: I shall begin at the lowest step, and observe, that as some have too much enlarged the idea of sobriety, or temperance, others have run into an equal extreme, by contracting it more than they ought to have done. Of the first sort are they, who confound temperance with that mediocrity which is common to most of the virtues; or, who make it to signify the moderation of all the passions; as well as the το θυμοειδες, or angry passions, which is the part of Fortitude: as the το επιθυμητικον, or desiring passions. They, on the contrary, who confine it to the pleasures of some particular senses, or even extend it to the το επιθυμητικον, in general, abridge the idea of this virtue within*

too

^a *Andron. Rhod. Lib. III. Cap. x.*

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too narrow limits. I shall therefore define it thus. *Temperance* is that virtue, to which it peculiarly belongs to *regulate a man's value for himself*, and his *affections* towards the *enjoyments of the body*, and the *present life*.

SECTION II. The *first* branch of this virtue consisting in the *moderate value* a person puts upon *himself*, and every thing *relating* to him, is known by the name of *Humility*; one of the *most lovely accomplishments* of human minds, which heightens intellectual beauty, as much as *modesty* does corporeal, adding a new gracefulness to it, and doubling all its charms. To prevent mistakes I shall premise, 1. That this virtuous modesty, or humility does not oblige a man to *wrong the truth*, or *himself*, by entertaining a *meaner*, or a *worse* opinion of himself than he *deserves*. Humility is not built upon *falsehood*; that is peculiar to *pride*, which, in its very essence, is *ignorance* and *mistake*: while nothing promotes humility so much as a *right* notion of one's self. Let us view ourselves in a true light, and it is impossible but we must be humble. Our good qualities are too inconsiderable to need being lessened; as our failings and errors are too gross, and numerous, to need our multiplying, or magnifying of them. ^b *Aristotle* reckons a *just value*

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^b *Ethic. ad Nicom. Lib. IV. Cap. iv. and Andron. Rhod. Lib. IV. Cap. v.*

value for ourselves to be necessary to *magnanimity*. “ The *pusillanimous* is wanting to himself, for he thinks more degradingly of himself than he ought. The *elated* exceeds in his regard to himself, his esteem of himself *surpassing* his real worth; but the *magnanimous* makes an *exact* judgment of himself.” Not that every one who judges rightly of himself, that is, every *sober-minded* man, is in that Author’s opinion therefore *magnanimous*; for one of *little worth* is yet temperate, if he discerns his own worthlessness; whereas the *magnanimous* must be *deserving* of great things, and *know* himself to be so. I do not intirely approve of this sentiment, since humility and magnanimity always go together; and a man is never so truly great, as when he is little in his own eyes. From hence it follows, 2. That humility does not oblige a man, right or wrong, to give *every body* else the *preference to himself*. This indeed is as *impossible in fact*, as it is *unjust* in the *hypothesis*. A *wise* man cannot believe himself inferior in that respect to the ignorant multitude; nor the *virtuous* man, that he is not so good as those, whose lives are manifestly vicious and irregular. I confess the command is, ^c *That every one esteem others better than himself*; but the most this can signify is, that a man should be rather partial to
other

^c Phil. ii. 3.

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other men's virtues than *his own*, and more favourable to their failings. That where the odds is not very considerable, his humility should turn the balance on their side. Or, perhaps, the injunction does not so much regard the *inward* act, or esteem, as the manner of *expressing* it in our behaviour, 3. Again, humility does not oblige a man to *treat himself* with contempt in his words, or actions. *Affectation*, though it courts the alliance of humility, is much nearer *a-kin* to *pride*. Now it looks very much like affectation, when a man says such things in his own dispraise, as others know, or he himself believes, to be false. And that which betrays the affectation to every one's notice is, the manifest chagrin of those persons, who love most to run themselves down, when others do not contradict them; a plain sign that their censures of themselves, are only so many *baits* to catch the praises of others. While charity forbids our speaking evil of others, humility cannot be supposed to require, that we should speak evil of ourselves. The same may be said of a man's *dress*, in which there is no necessity of his being *ridiculous*, or *mean*, or *slovenly*, to shew himself humble. Nay, an affectation of appearing humble by the singularity of our dress, is the very guise of pride; and usually discovers itself in hard reflexions

upon others, whom we secretly envy for making a better appearance than ourselves. Και γὰρ ἡ ὑπερβολὴ καὶ ἡ λίαν ἐλλειψὶς ἀλαζονικόν. "Excess, or defect, is each an argument of pride," says ^d *Aristotle*. For an example of the latter he mentions the *Lacedemonians*, who were famous for the plainness of their habit. *Diogenes*, the *Cynic*, encountering by chance with *Plato*, who, by the way, was used to go handsomely habited, rudely pulled his mantle from his shoulders, and trampled it in the dirt, with these words; "thus I trample upon the pride of *Plato*." "Yes, replied *Plato*, but with a greater pride of thy own." It is no otherwise as to a person's look, gesture, manner of living, &c. in all which the affectation of shewing humility is an evident sign of the contrary.

SECTION III. Farther, the ideas of *humility*, and *bashfulness* are not the same. For as a man may be bashful, and yet proud; so he may be humble, though he be not bashful: bashfulness being rather a quality of the *body*, than of the *mind*. *Bashfulness*, I own, approaches *nearer* to humility, than *impudence*; nay, in young persons, is expected in some degree, and is often the indication of an ingenuous temper; but it is not of itself a virtue.

^d *Ethic. ad Nicom. Lib. IV. Cap. vii.*

a virtue. If impudence discovers the good opinion a man has of himself, bashfulness may proceed from an inordinate thirst of the good opinion of others: a fear of losing which is often the cause of this false modesty. By bashfulness I do not mean what the *Latins* express by *verecundia*, a repugnance of nature to things base and shameful; but such a confusion as a person falls into, when he is doing nothing mean, or criminal, from an inability to bear the presence of others. Opposite to which is a modest assurance; of whichevery body must be desirous, as a very considerable advantage. Finally, humility does not imply an utter indifference to praise and honour, and much less an industrious declining it, or pretended aversion to it. Some persons only fly from fame, out of hopes that it will follow them*. *Τον φιλοτιμον*, the ambitious we blame, because his desires of honour are excessive; *τον αφιλοτιμον*, the contemner of honour, for refusing it when it is due. The medium between these two, *Aristotle* says, is a nameless virtue, *Απειρη ανωυμος*.

SECTION IV. *Humility consists in the following things.* 1. In not attributing to ourselves any excellence, or good which we have not. A humble man is not rich in fancy, and poor in reality; he never builds in the air,

* *Ethic. ad Nicom. Lib. IV. Cap. vi.*

202. *Of Sobriety, as it regards* PART II.

air, not on fairy ground. Humility takes the beam out of his eye, which made him see his own virtues, and other people's faults double. 2. In *not over-rating* any thing we *have* or *do*. Pride is a painter that draws a man beyond the life, and makes the copy more beautiful than the original. Humility represents things as they are in their own dimensions, and native colours. 3. In not taking an *immoderate delight* in *one's self*. The proud man is his own *idol*, to which he is perpetually offering incense; the most pleasing object of his contemplation. He is ever gazing on the dear image of himself, reflected by his imagination; and with as much complacency, as a vain woman beholds her beauty in a flattering glass. The humble man knows how to employ his time better, than in reviewing and telling over his perfections, as the *miser* does his money. 4. In not *assuming more* of the *praise* of a *quality*, or *action*, than belongs to us. If we have any good in us, it must be considered who wrought it; if any good has been done by us, who gave us the power to do it. *What have we, that we have not* (in one sense or other, either more immediately or remotely) *received*? The humble person looks even upon his good actions, in regard to God, not as a matter of *merit*, but rather as a debt; and a farther obligation to God for that assistance, to which they are in a great

great degree to be ascribed. And as to the interest which *men* have in our virtues, and attainments, humility takes it not to itself. He who glories in his acquisitions, as if they were all made by his own strength, and wisdom, when he has been beholden to the writings, instructions, counsels, or labours of other men, is a proud, not a humble man. The temper of *Antonine* the Emperor was very different. "From my *Grand-father*, says ^f he, I learned such virtues, " from my *Father* such, from my *Mother* " such, from my *Preceptor* such, from " *Digonetus*, *Apollonius*, *Sextus*, *Alexander*, " *Fronto*, and others, such and such: and " to the *Gods* I stand indebted, that I had " good *Ancestors*, good *Parents*, good *Tutors*, " good *Friends*; and in short, almost all " other good things." 5. In an inward lowly acknowledgment of our many imperfections, and sins, our natural, and our moral defects; the meanness of our original, the precariousness of our being, the narrowness, and blindness of our minds, the ingratitude, and other evil dispositions of our hearts, the perverseness of our wills, the weakness, and inconstancy of our resolutions, the irregularities of our lives, and the defectiveness of our best actions. The four former are comprehended in Scripture under the term Σωφροσύνη, *Sobermindedness*; the word used to express the

^f Lib. I. Sect. i, — xv.

the latter is Ταπεινοφροσυνη, *Lowliness of mind*: a virtue scarcely known so much as by name to *heathen* writers. I say *scarcely known*, because Monsieur *Dacier*, in his life of *Plato*, p. 87. giving an account of his *Philosophy*, cites out of his *fourth Book of Laws* this passage. "They who would be happy conform to the divine justice with *humility* ; whereas he who becomes proud because of his riches, honours, or beauty, &c. is intirely abandoned by God for his pride." And in the *margin* he adds, " *Plato* here employs the *same term* which the sacred writers use, to express one who is of a humble spirit, ταπεινος. So that the *Pagans*, saith he, not only knew the name of this virtue, but the virtue itself." But allowing the most to this passage, which does not speak expressly of *humility*, as regarding our *virtues* ; I may well say to the honour of divine *Revelation*, that it is this alone which fully discovers to us the *purity*, and *perfection* of the *divine* nature, and the *frailty*, and *imperfection* of our own ; the *great evil* of *sin*, and our *intire dependence* on the *grace*, as well as the *providence* of God ; and therefore this alone which is every way fitted to form this virtue in us. *Judicium hoc omnium mortalium est, fortunam a Deo patendam, a seipso sumendam esse sapientiam.* This [§] *Cicero* delivers as the sense of

§ De Natura Deor. Lib. III. Cap. xxxvi.

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of the *beathen* world, “ that *success*, was to
“ be petitioned for from the *Gods*; but *wis-*
“ *dom*, or *virtue*, to be fetched from *our-*
“ *selves* :” agreeably to which, ^h *Juvenal*,
after he had said,

Orandum est, ut sit mens sana in corpore sano.

Pray that the *Gods* would give with a sound
mind,

A healthful body——

adds,

Monstro quod ipse tibi possis dare : ——

—— What I shew,
Thyself may freely, on thyself bestow.

Dryden.

And so *Horace*,

*Det vitam, det opes : æquum mî animum ipse
parabo.*

Let *Jove* give health and riches, I’ll provide
Virtue——

And says ⁱ *Cicero* in another place, *Atque
hoc quidem omnes mortales sic habent, &c.*

“ All men are agreed, that they receive the
“ external conveniencies of life from the
“ *Gods*; but no one thanks them for his
“ *virtue*.

^h Satir. x. ad finem.

ⁱ De Natura. Deor. Lib. III. Cap. vi.

“ virtue. And with good reason, for we
 “ are justly praised for our virtue, and va-
 “ lue ourselves upon it ; which we could
 “ not do, if it was a gift of the Gods, and
 “ not an acquisition of our own.” True—
 if we had it without any proper concurrence
 of our own. But since *both* these are sup-
 posed to concur, *divine assistance*, and *human*
liberty ; what we are praised for is the right
 use of our freedom ; what we give God
 thanks for is, that *assistance* which facilitates
 the practice of virtue. Even the *gifts* of
Providence are frequently the *rewards* of
 human *prudence*, and *industry* ; notwithstand-
 ing which we think ourselves obliged to
 give thanks for them to God, and much
 more then for success in a course of virtue.
Christianity therefore uses another language,
 calling *human virtues*, *graces* of the *divine*
Spirit.

SECTION V. *Humility* expresses itself in
 the *modesty* of our *appearance*, of our *pur-*
suits, and of our *behaviour* towards other men.

i. In the *modesty* of our *appearance*. *Ad-*
hibenda est præterea munditia non odiosa, &c.
 says ^k *Cicero*. “ As to our persons we
 “ should be clean, without being effemi-
 “ nately nice ; being only concerned to
 “ avoid a rustic slovenliness : the same rule
 “ we should observe in our dress, in which,

“ as

^k De Officiis, Lib. I. Cap. xxxvi.

“ as in most things, the middle way is
 “ best.” And, in ¹ another place, *Caveamus*
ut ea quæ pertinent ad liberalitatem specie
& dignitate moderata sint. “ We should be
 “ moderate in what is expended, merely, to
 “ support an external dignity, and appear-
 “ ance.” In his *dress*, in his *house*, in the
 whole *figure* he makes, the humble man
 will consider his *age*, his *abilities*, his *cha-*
*ra**cter*, his *function*; and will avoid what-
 ever either of these would make indecorous.
 He will observe that moderation on these
 several articles, that no one may have reason
 to think, he *values himself* upon such *foreign*
 ornaments, or *expects* to be *valued* for them.
 What ^m *Cicero* says of a *nobleman's house* may
 be applied to all things of this nature, *Or-*
nanda est domo dignitas, &c. “ The house
 “ should be becoming your dignity; but
 “ your chief dignity must not be derived
 “ from the splendor of your house. The
 “ possessor is not to derive honour from his
 “ house, but should give honour to it.”

ii. In the *modesty* of our *pursuits*. A
 humble man is not *Κενοδοξος*, *Vain-glorious*;
 he aims not at things above his strength, or
 pretensions; prefers a *good* name to a *great*;
 and, unless where *Providence* calls him forth,
 seeks *obscurity*, rather than to be publicly
 known. He is no *admirer* of *dignities*, and
titles;

¹ De Officiis, Lib. I. Cap. xxxix.

^m Ibid.

titles; and, though he may not always think himself bound to reject them, when they are put upon him, yet he accepts them in a manner, which shews he is not fond of them. He is not eager, and immoderate in his desires; for whoever is so, will be apt to go out of his way for honours, when the plain road does not lead to them; to adapt his behaviour to the notions of honour which they have, from whom he seeks it; and to pollute what is good by chusing it, not for its *own* sake, but for the sake of *glory*: will be impatient of repulses, and disappointments, and, as often as he misses of his aim, fall a sacrifice to spleen and vexation. ⁿ He that is not content with his own conscience, and the judgment of an all-knowing God, discovers it to be his chief ambition to please men. I say no more on this head, that I may not repeat what was said under the head of glory.

SECTION VI. iii. *Humility* expresses itself in the *modesty* of our *conversation* with, and *behaviour* towards *other* men. It will teach us, as on the one hand, not to be *sullenly silent*, or *reserved*, out of contempt of the company; so on the other, not to be *talkative*, out of a vain opinion of ourselves: not to be *obstinate* in defending our opinions, nor *forward* to impose them; not to be so
abject

ⁿ *Simplicii. in Epictet. Cap. xlvi.*

abject as to *flatter others*, nor so *vain* as to love that they should *flatter us*. Οἱ ταπεινοὶ πάντες κολακες εἰσιν, "All humble persons "are flatterers," saith *Andron. Rhodius*, Lib. IV. Cap. v. after *Aristotle*; but, by *humility* he means an *abjectness* of soul, not the virtue which I am now explaining. *Humility* is never unattended with *affability* and *complacency* of manners; a quality equally distant from haughtiness, and mean servile compliances. The humble man is not ashamed of being obliged to others, or to own the obligation: wherein *humility* differs from that *false* virtue, which ° *Aristotle* attributes to the *magnanimous* person; who, he says, "is pleased when he can confer a benefit, "and blushes to receive one." The humble man will not dispute for *rank*, or *precedency* with his *equals*; and to shew how little he sets by these things, rather than contend about them, will sometimes give way to an *inferior*: unless the nature of his station obliges him to assert his right, and even then he will manage himself with that moderation, as to make it visible, that he challenges respect, not as due to his *personal* merit, but to his *place*, and *character*. I shall only add, that the humble man is not *uneasy* to hear *others commended*; he does not monopolize reputation, but gladly admits others to a share of it; and readily befriends

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their

° See *Andron. Rhod.* Lib. IV. Cap. v.

their good name in the World. The bare *description* of such a virtue, is a sufficient *recommendation* of it ; and, for the *attainment* of it, this one *rule* is instead of all others ; that we study to *know ourselves* : for, the more thorough knowledge we have of ourselves, in the better disposition shall we be to be humble. This knowledge is indeed the foundation of *magnanimity*, and *humility* too. He who considers the *dignity* and *immortality* of one part of his nature, will conceive *meanly* of all *worldly* things. And he who reflects on his *dependence*, *infirmities*, *errors*, and *sinfulness*, will have but *mean* thoughts of *himself* : for, it is according to the several comparisons, or relations, in which man is viewed, that he is either *great*, or *little*.

SECTION VII. The *other* branch of *temperance* relates to the *enjoyments of the body*, and the *present life* ; and, is concerned in regulating our affections to them. *Temperance*, if we follow ^P *Aristotle*, has no regard to *mental* pleasures, such as the application to *honour* or *learning*, and the like ; or to all the pleasures of the *body*, such as *music*, *pictures*, *perfumes*, and the like ; but, only, to the *grosser senses* of *tasting*, and *feeling*. But, as, *all* the instances here enumerated are *enjoyments of this life*, and, such, in which there is room for *excess* ; I have accordingly expressed

^P See *Andron. Rhod. Lib. III. Cap. x.*

pressed my *definition*, so as to take them in all. *Ἀνεχεσθαι, καὶ ἀπεχεσθαι*, *sustain*, and *abstain*, was a kind of proverbial expression among the *antients*, to which they reduced the chief duties of Morality; these two being no other than *patience*, and *temperance*: whereof the former moderates the passions, which are excited by the *evil* things of life; the latter those which are kindled by such things, as have the estimation of *good*. Temperance equally respects *all* its objects: and, therefore, to boast of temperance in *one* instance, while we are intemperate in *another*, is a very great absurdity. What we call temperance in this case has no more than the name of it; and is not only no virtue, but commonly proceeds from intemperance of some other kind. Let not the *covetous* man set up for temperance in the pursuit of pleasures; he only makes a sacrifice of one passion to another, and is restrained from pleasure by the more predominant love of riches, and dares not be *voluptuous*, because it is *expensive*. On the other hand, let not the *man* of *pleasure* make a merit, of his moderation with regard to riches; his love of riches is not regulated by prudence, but subdued, and overpowered by the stronger inclination to pleasure. Neither let the *ambitious* too much insist on the temperance of his desires after wealth and pleasures; his desire of these must give way to another

that is more importunate, and commanding; and the true reason, why he can behold the shining heap *oculis irretortis*, with *undefiring* eyes, is, that he is too intent upon the chace of honour to be struck with any thing else

SECTION VIII. The general *measure* of *temperance* is the *nature* of man. The *health* and *good habit* of the body is not the *adequate* measure of it. For it is possible that without injury to the body, a person may in many instances go too far in sensual indulgences. He may gratify his desires beyond the bounds of temperance, and yet his body not tire in the service. For which reason the foundation of temperance laid by *Epicurus* is no way sufficient. Nor, if we add the *well-being* of *society*, shall we be able to determine how far our temperance is to extend; since a man may be intemperate in some kinds, and degrees, and not be guilty of any wrong to society. The only adequate measure therefore of temperance is the *intire nature* of man, and in this sense the observation of the ^a *Poet* is undoubtedly true :

Nunquam aliud natura, aliud sapientia dicit :

Nature's, and virtue's rules, are still the same:

As

^a *Juvenal. Satir. xv.*

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As it would be altogether as false, if by nature we should understand *animal* nature ; the body often craving what, if granted, would be a prejudice to the mind. Man has a *body*, and a *soul* to take care of ; in doing which he is to proportion his care to the nature, and worth of each. Whatever therefore hurts either part of his being, comes within the notion of intemperance. If it undermines his *health*, impairs his *senses*, inflames his *passions*, clouds and sullies his *reason*, perverts his *judgment*, inflaves his *will*, or, in short, does any way *disorder* or *debilitate* his *faculties* ; it is fruit which temperance forbids him to touch.

SECTION IX. Again ; man stands related to *two worlds*, and has a *twofold life* to lead. As he is an inhabitant of *this world*, every gratification in which he would do a *disservice* to *society*, not, only, *directly*, by injustice to some particular persons ; but, *indirectly*, by *unsuiting* himself for *usefulness* in his station, or being for the time useless, or by giving a *bad example* to others, is a manifest instance of intemperance. As he belongs to *another world*, and has a more valuable life for which to provide ; all those gratifications which tend to *extinguish*, or *weaken* the *divine life* in him, and to indispose him for the happiness of a *future state*, must be pronounced forbidden.

SECTION X. Temperance is seen in regulating the *desires*, and the *enjoyment* of *present* things. To begin with the *desires* of outward things. These the ^r *Epicurean* Philosophy distinguished into these several kinds. There are those which are *both natural*, and *necessary*; such are the general desires of *eating*, and *drinking*, and *rest*. They are *natural*, because *originally* placed in mankind; they are *necessary*, because the *utter denial* of them would cause not only *pain*, but *death* to the body; and the partial denial of them, if immoderate, produce disorders of several kinds. There are those which are *natural*, but *not necessary*; as it is *natural* to desire the *conveniences* of life, though these things are not so necessary, but that a man can make a shift without them; and the same may be said as to the *conjunction* of the *sexes*. A third sort are those which are *neither natural*, nor *necessary*, but arise from *custom* and *opinion*, or all that belongs to the *pomp* and *incumbrance* of life. As to desires of the *first* kind, temperance will keep them from running out of their natural state; that what is natural, and necessary may not by the *abuse* become neither one, or the other. The desire of meat, and drink, is natural, and necessary, but if our desires reach at excessive, and

^r Vid. Gassend. Philosoph. Epicur. Syntag. pag. 146. & Diog. Laert. Vit. Epicuri.

and forbidden degrees of these, they cease to be natural, and necessary, and become sinful. As to the *second* sort of desires, temperance is to moderate them, that they may not be *impatient* for their object; may not put us upon *unlawful* ways of enjoying it; or make us *uneasy*, or *dissatisfied* if we miss of it. As to desires of the *last* kind, we ought as much as possible to *suppress* them; that we may have no desires but what are founded in nature, and reason. Perhaps a *plainer* distinction, as it is more common than the former, would be, into the desires of things, *unlawful* and *indifferent*. The former are *peremptorily* forbidden; the other only within certain *limitations*. Be the object never so indifferent, the desire of it ceases to be so, when it hath once *mastered* us; which occasioned that saying, *In licitis perimus omnes*. “The most are betrayed
“to ruin by objects in some circumstances
“lawful.”

SECTION XI. Under the *enjoyment* of things, I comprehend the *delight* we take in them, and the *use* we make of them. The *delight* we take in any sensible, or outward enjoyment, ought never to be so intense, as to make way for *anxiety*, or *disquietude* on the loss of it; or to *rival* the delight we take in *God*, and in *religion*. The *use* which temperance will direct us to make of these

things, is for the *glory* of the *giver*, for the *advantage* of *mankind*, when they can be improved to that end ; and for the *advancement* of our *final* happiness. In direct opposition to which is the conduct of the *ambitious* man, possessed of honour ; and of the *voluptuous*, and the *covetous*, in the possession of pleasures, and riches.

SECTION XII. The *extremes* of *temperance* are, on the *one* hand, *needless*, or *hurtful austerities*. What is evidently hurtful to *either* part of our being, when the other does not receive a superior advantage by it, is evidently an *extreme* ; whether it be in *excess*, or *defect*. Since what is *needless*, is evidently no part of temperance ; which never enjoins such denials of one's self, as serve to no good end. In this extreme are not only they who *causelessly* put their bodies to *pain*, but they who *stint* themselves to bare *necessaries*, and look upon every thing *pleasant*, as *forbidden* ; to whom I shall say more in the next Chapter. On the other hand, all *excess* in our *affection*, or *application* to the things of this life, is an *extreme* much more *dangerous* than the former. The danger from the former, is chiefly to the *body* ; from the latter, to the *soul*.

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Read on this Chapter, besides the books
quoted.

Xenoph. De Memorab. *Socrat.* Lib. II.
Cap. i.

Plutarch. in Vit. *Thesei & Alcibiadis.*

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Tillotson's Works, Vol. I. Serm. vi, xxxvi.

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N^o 5, 15, 16, 37, 40, 43.

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Young's Love of Fame the univ. Passion.

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CHAPTER VI.

*Of Temperance in regard to Riches,
and Pleasures; of Sobriety, Cha-
stity, and the Regulation of our
Diversions, and Sleep.*

SECTION I. **T**HE particular *objects* of Temperance are usually reduced to those *three heads*, *honours*, *riches*, and *pleasures*; of the *first* of these, what has been said already under *humility*, may be thought sufficient. Temperance in respect of *riches*, commonly called *moderation*, (though that name will as well agree to all the other instances of temperance) directs both the *desire*, and the *enjoyment* of them. The desire of *riches* may offend *two ways*; by its *exorbitance*, and by its *intenseness*: the first bespeaks intemperance as to the *object*; the other as to the *act*. As to the *object*, the desire of *riches* is *excessive*, if it grasps at *too much*; not contented unless a person has more than he has occasion for, or can tell how to enjoy. Temperance brings back the stream which had overflowed its banks; and

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and makes it run in its proper channel. If it be inquired, what are the due *limits* of this desire, or when it may be said to be moderate; I answer, when it does not reach at more than *necessaries*, which are of *three* kinds; the necessities of *nature*, of the *relation*, and of the *state*, and condition of life, The *necessaries* of *nature*, are such things as nature *requires*, not barely to subsist, but to subsist *comfortably*.

—mensura tamen quæ

*Sufficiat census, si quis me consulat? —edem
In quantum sitis, atque fames, atque frigora
poscunt;*

*Quantum Epicure tibi parvis suffecit in hortis,
Quantum Socratici ceperunt ante penates.*

Juvenal. Satir. xiv.

If any ask me what would satisfy
To make life easy, thus I would reply;
As much as keeps out hunger, thirst, and cold,
Or what contented *Socrates* of old:
As much as made wise *Epicurus* blest,
Who in small gardens spacious realms possesseth.

J. Dryden, jun.

Perhaps this is too narrow a stint, since to pass life with any satisfaction, there seems to be need of more than will barely feed, and cloth the body; I therefore add what is necessary *ad bene esse*, to make life agreeable;

ble ; which certainly any one may be allowed to desire, provided he takes care that his desires be not *peremptory*. The *necessaries* of the *relation*, are those things which are necessary to a man, as he is, or may become the *father* of a family. For every man is to *provide for his own* ; and cannot be blamed, when by a course of honest industry he seeks to get into such circumstances, that his children may receive something more from him than their birth, and education. The *necessaries* of the *state*, and *condition*, signify the things, without which a man cannot maintain the *dignity*, and *credit* of the *station* which he holds in the world. And the necessities of this last kind may be distinguished into those which *originally* belong to that state, or condition, and those which have been introduced by the *laws* and *customs* of society. For instance, in the *first* kind, it is necessary that a *scripture Bishop* should have wherewithal to be *hospitable* ; because *hospitality* is made one part of his character. It is also necessary, that a *Minister* should have not only wherewithal to procure himself *meat* and *drink*, and *clothes*, but *books* likewise ; because *instruction*, and *vigilance* in defending his flock, are necessary duties in a minister ; and these duties not ordinarily to be discharged with credit, and success, without continual reading, and meditation. For an instance of the latter kind it is necessary,
that

that a person adorned with *titles* should have an *estate* to support them, and enable him to make a figure some way answerable to his *quality*.

SECTION II. But there is danger lest of each of these three, we make a pretence to transgress; lest among the conveniencies of life, we should reckon the *superfluities* of it; should call a *restless* endeavour to aggrandize a family, making a *handsome provision* for it; and, under the name of living with *decency*, turn servants to our *vanity*, and *luxury*.

^a—*Ab Epicuro dictum est: si ad naturam vives nunquam eris pauper: si ad opinionem, nunquam dives.* “If you regulate, says *Epicurus*, your desires by *nature*, you never will be *poor*: if by *opinion*, you can never be *rich*.” When once a man is past beyond the *real occasions* of life, it is all an *open country*, and nothing is left to set bounds to his desires. ^b*Cicero* was therefore in the right to call *covetousness* an *infinite* desire. *Infinita pecuniæ cupiditas.* The marks of this *insatiable* desire of *riches* are, that it *devours* a man’s *time*, fills up his whole *soul*, *chokes* all *generous* principles, and many times *engages* him in *little*, if not *wicked* arts, to get wealth. The temperate man may grow rich too, and without a crime; but then the

^a *Senec. Epistol. xvi.*

^b *De Officiis Lib. I. Cap. viii.*

the spring of his activity is not so much the aim at great riches, as the view of acquiring himself of his duty in some creditable, and useful employment : and he never breaks over the hedge to follow his game. The desire of *riches*, as to the *act*, is then *temperate*, when it is not only *less powerful* than the desire of *better* things, but so *moderate*, that a man can meet a *disappointment* without any *great pain* ; when he can be crossed in his desire, and neither think Providence *unequal*, nor himself *unhappy*. If a body in the rapidity of its career be stopped of a sudden, the shock which this occasions, is proportionable to the violence of the motion. It is the same when the desires are too eager ; a fault they may be guilty of, in some measure, whose desires, as to the *object*, are modest. They may bound their aims within reasonable limits, and even think the modesty of their desires an excuse for their complaints, if they are not gratified. The consequence of this temperance of desire is, that it will free the mind from all *anxious cares*, and fears about our worldly interests, inasmuch as we can have no reason to fear that, which, if it should happen, would not disconcert us.

SECTION III. The *enjoyment* of *riches* comes next to be considered ; and here *temperance* will keep a man from *letting loose* his
heart

heart to these things, and *delighting* in them above measure; *expecting too much* from them, or *rating* his *worth* by them. The value of the *man*, and of the *estate*, are two different things; though it be common to say of a man whose estate amounts to some *hundreds a year*, that he is one of considerable worth. Such should remember the story of *Themistocles*, who when he was consulted about the disposal of a daughter, whether she should be given to a *worthy* man, but *poor*, or to another *vicious*, but *rich*, answered; for my part, I prefer a *man without money*, before *money without a man*. Finally, Temperance will secure us from the two opposite rocks of *parsimony*, and *prodigality*. It is the first of these which distinguishes the miser. The prodigal, and ambitious may have as unmeasurable desires, as the covetous man; but in them the desire of riches is subordinate, and they employ them as means to accomplish some further end; whereas the miser takes up his rest in them. The former mispend their riches, the latter hoards them. How different was the character of ^d Marshal *Turenne*. “ His disinterestedness
“ was so much the more praise-worthy, as
“ covetousness was the reigning vice of the
“ age. His fortune at his death was less
“ than the patrimony he had received from
“ his

^c Cicero De Officiis, Lib. II. Cap. xx.

^d See Ramfay's Hist. of the Viscount De Turenne, p. 489.

“ from his parents; and he had commanded
 “ the king’s army above *thirty* years under
 “ a bountiful Queen regent, and the most
 “ magnificent of all ministers; and though
 “ he lived in an age fruitful in great for-
 “ tunes. Some of his friends talking with
 “ him of those immense, and suddenly ac-
 “ quired fortunes, and rallying him upon
 “ that occasion in an agreeable manner; he
 “ answered, I could never find out what
 “ pleasure there can be in keeping coffers
 “ filled with gold, and silver. Were I to
 “ have considerable sums remaining at the
 “ end of the year, my stomach would turn
 “ as much, as if a great repast were served
 “ up to me immediately upon my rising
 “ from table.” It is *Sallust*’s character of
Cataline, “ that he coveted what was an-
 “ other’s, and was lavish of his own.”
 “ *Alieni appetens, sui profusus*; and * *Cicero*
 has observed, *Expetuntur autem divitiæ*, &c.
 “ Riches are desired both for furnishing
 “ the real conveniences of life, and for sup-
 “ plying a variety of pleasures. In men of
 “ a higher and more ambitious turn of
 “ mind, this desire of wealth is made sub-
 “ servient to grandeur, and the procuring
 “ popularity by liberal donations: as *Mar-*
 “ *cus Crassus* lately asserted, that no one
 “ who aimed to be at the head of the com-
 “ monwealth was *rich enough*, unless he
 “ could

* De Officiis, Lib. II. Cap. viii.

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“ could *maintain* an *army* at his own expence.” When wealth is made the instrument of ambition, or voluptuousness, the character is taken from these, not from avarice. I own the *miser* himself would not value riches, did he not know them to be the standard of value to other things; so that having riches he can with them command the other advantages of life. Nay, I believe that many of this sort of men, like the rich man in our Lord’s ^f *parable*, flatter themselves, that they will one time or other sit down and *be merry*; but then this time never comes; they never think they have laid up *goods enough*. Shall I call this *folly*, or *madness*? to value money because it *answereth all things*, and yet by an obstinate refusal to touch it, make it *good for nothing*? to *dread poverty* so much, as effectually to bring it on *themselves* in the midst of riches, and to *live poor* that they may *die rich*?

*Sed quo divitias hæc per tormenta coactas,
Cum furor baud dubius, cum sit manifesta
phrenesis,*

Ut locuples moriaris egenti vivere fato?

Juvenal. Satir. xiv.

But, to what end these ways of sordid gain?
It shews a manifest unsettled brain,

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Living,

^f Luke xii. 16.

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Living, to suffer a low starving fate,
In hopes of dying in a wealthy state.

J. Dryden, jun.

Prodigality is an *error*, on the other hand, but equally an *abuse* of riches with covetousness. Each of these, the prodigal, and the miser, bestows what he has upon his favourite lust; and so diverts it from its best use. The great difference is, that the miser makes some *satisfaction*, for his injustice to his family, and the poor, by *punishing himself* at the same time that he *robs them*. The *temperate* man, on the contrary, is *universally just*, to himself, to his family, to the poor, to the public, and to all mankind.

SECTION IV. *Temperance* in regard of *pleasure* bridles the *sensual* inclination, and keeps it under the discipline of reason. Some have gone so far as simply to condemn *all* the pleasures of sense, making a scruple of delighting themselves with an agreeable smell, a pleasant flavour, an harmonious sound, and the like: as if these were so many criminal indulgences. But why has God given us *appetites* for pleasure? Not, certainly, that we should absolutely deny them. Why has he *endowed* the body with *sensations*, and *provided objects* for their entertainment? Not, surely, that we should keep the sense and the
object

object *always* asunder. Why has he *annexed* pleasure to sensible gratifications? It cannot be for an admonition that these pleasures are in their whole kind evil. Why has he *filled the world with things delectable*? I hope not that we might be necessarily exposed to ten thousand snares, and temptations. Can there be any harm in tasting pleasures within certain *limitations*; when this taste gives us occasion to *magnify* the *bounty* of our great Creator, and to *adore* his *wisdom* and *goodness* in the frame and contrivance of things? Pleasure must not steal away *too great* a portion of our *time*, for we were not born for pleasure in this life, but for *labour* and *usefulness*. It must not seize *too much* of the *heart*, which is to reserve itself for nobler guests. It must not like a disproportionate limb draw so much nourishment to itself, as to starve other occasions. The more *expensive* our pleasures are, the less capable shall we be of answering the demands of *charity* and beneficence. Within these conditions our pleasures will not be culpable. Nature herself has in many cases not obscurely intimated the necessity of moderation; what was a *pleasure* when *temperately* used, turning to a *burthen* when carried to *excess*; and a *satisfaction* into disgust, and weariness. But *nature* does not *always* give this warning; nor, perhaps, in any case

mark out the bounds so *exactly*, as to make it needless for *reason* to instruct us in the extent of our liberty.

SECTION V. *Pleasures* are either more *gross*, or more *refined*. The *grosser* pleasures are those about which *sobriety* and *chastity* are conversant. By *sobriety* I understand that which is *peculiarly* so called, and which consists in the *moderate use* of *meats*, and *drinks*. Sobriety prescribes the *quantity*, and *quality* of both these. As to the *quantity*, it is not what a man's *head*, or *stomach*, or *purse* will bear. If a man exceeds his capacity in either of these respects, he is plainly faulty; but it does not therefore follow, that within this compass he is innocent. One of a voracious appetite, or strong to drink, if he eats, and drinks, till he can bear no more, is guilty of excess; though he stop there: for what is this but *waste*, and *gluttony*? And though he may be able to spare the money, yet questionless it might be *better* employed. On the other hand, it would be too severe to tie a man down to just what is *necessary* to the *sustenance* of the body; I am satisfied in the lawfulness of sometimes taking greater freedoms. It may be no ill rule however to eat, and drink with some degree of *self-denial*, and always with *caution*; so that in our greatest liberties, neither

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ther the *mind*, nor *stomach* may be over-
charged. As to the *quality* of *meats*, and
drinks, it is said of *Epicurus*, that let him
have but *bread*, and *water*, he would dispute
the point of *felicity* with *Jupiter* himself.
And if you will take his word for it, he was
abundantly *content* with the products of his
own *little garden*; and would have this in-
scription set over the gate, *Hospes, hic bene*
manebis; *hic summum bonum voluptas est.*

"Friend! here you may live happily; here
"pleasure the chief good resides." Is it not
strange, that in this respect a man is allow-
ed to be a greater voluptuary than *Epicurus*
himself was? And yet it is most true, if
Epicurus was as self-denying as his doc-
trine; for there are few of the *poor* but fare
better than this mortified *Philosopher*. Let
us avoid *delicacy*, *luxury*, and *immoderate*
expence; let us not be over-nice, and curious
in the choice of what we eat and drink; let
us not *pamper* the *body* with high feeding;
nor spend on our *palates* what should be
given to appease the *hunger* of the *needy*:
and, in a word, *Whether we eat or drink, —*
do all to the glory of God; and we fulfil the
Duty of sobriety.

SECTION VI. The *advantages* of *tempe-*
rance are innumerable, both in regard of the

Q 3

body

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body, and the mind. It cleanses, and sweetens the blood, clears the channels, strengthens the organs, and inables all the parts to perform their offices with quickness, and delight. It is the best preserver of health, as appears from the instance of ^h Socrates, of whom it is related, that he maintained a perfect state of health by the force of this virtue, and owed his safety to nothing else in that terrible plague, which had almost unpeopled Athens during the Peloponnesian war. And then the mind of a temperate man is calm, and all his faculties vigorous, and unclogged: he is in possession of his soul, able to use his reason, and, if he will, to improve it; which the intemperate man cannot do. The intemperate man, as ⁱ Socrates observes, is not only hurtful to others, but much more to himself; not only ruining his family, but his body, and his soul. And, in another place, he compares the intemperate to those creatures, which lose all their caution, and run upon dangers so as to be taken and killed; being infatuated by their appetites, the desires of eating, or drinking, or venery.

SECTION VII. On the subject of *chastity*, it is not perhaps proper to be very particular; for which reason, I shall only give you some
few

^h Aul. Gell. Lib. II. Cap. i.

ⁱ *Xenophon. De Memorab. Lib. I. Cap. v. & Lib. IV. Cap. v.*

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few general hints. There is a *chastity* of body, of *speech*, and *behaviour*, and of *imagination*. Chastity of *body* consists in preserving the body *pure*, and *undefiled*, whether by *self-pollution*, or by *commerce without* the bounds of lawful marriage. Some, I confess, have made it a question, whether *simple fornication* can be proved to be a sin by the *law of nature*. But if natural reason dictates *marriage*, it cannot, I think, be doubted, that it equally condemns *wandering lusts*; since the latter cannot be tolerated, but to the manifest prejudice of the former. Were men let alone in such an unbounded licence, how many who now marry would chuse to remain single? Marriage was designed for the *multiplication* of the *kind*, and that the *two sexes* might be *mutually helpful* to each other, by all the offices of the strictest friendship; and might *unite* their cares in the *education* of their common children. Now what can be more evident, than that all these ends would be very much hindered by the allowance of this liberty, which is here pleaded for? Chastity of *speech*, and *behaviour* is likewise necessary. Our speech should never *betray* corruption, nor *communicate* it. All expressions tending to excite loose ideas should be forborn; as, also, all looks and gestures leading to immodesty. *Nec vero audiendi sunt Cynici, &c.* says^k *Cicero*.

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“ The

^k De Officiis, Lib. I. Cap. xxxv.

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“ The *Cynics* are by no means to be regarded in what they say relating to modesty—
 “ On the contrary, let us follow nature,
 “ and abstain from whatever offends the
 “ eye, or ear ; and let us in all our postures,
 “ motions, and gestures, preserve a proper
 “ decorum.” They better deserve the name of *Cynics*, than of *Christians*, who would make things which shock modesty the subjects of conversation.

SECTION VIII. *Farther*, it is the concern of every one to preserve a *chastity* of *imagination* ; for it is no more lawful to imagine, than to speak of some things. Chastity of *mind* is as necessary to commend us to the eye of that *God*, who looks into the hearts of men, as outward purity. But what shall be said of the workings of the *imagination* in *dreams*? That we are accountable for them, if such dreams are owing to any *faulty* actions and indulgences in the day ; or, if they are followed with our *approbation*, and *recollected* with *pleasure*, that we are accountable for this approbation. I would here make a remark concerning the *purity* of the *Christian* religion, in which it has so much the advantage of all other institutions. Among the antient ¹ *Pagans*, and even *Jews* themselves, a man might entertain a commerce with a woman to whom he was not married,

¹ *Gros.* in *Matth.* v. 27.

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married, provided they were both in a *single* state; and he touched none but such as *professed* the *trade*, or *slaves*: the violation of a *free* woman being punished by the laws of most countries. The ground of which exception seems to have been only a concern in those who made the laws, to secure their own wives, and daughters; for in the reason of the thing there can be no just foundation for such a difference. The grave^m *Epiſtetus* tells his scholar, that if he made excursions at any time, it should be *lawfully*; and should not bear hard in his censures upon those who gave themselves a greater liberty. And as for the *imagination*, *Philosophy* left it *uncontrolled*; whereas *our religion* obliges us to the greatest purity both *internal* and *external*, and by considerations the most proper that can be to enforce the command; the *presence* of *God*, the *inhabitation* of his *Spirit*, and the *holiness* of that *state* to which we are called in *this* world, and of that other in the *next* world, for which we are now preparing ourselves.

SECTION IX. The *rules* for the *conservation* of *Chastity* are these. 1. To keep ourselves *fully employed* in labours, either of the body or mind. *Idleness* is frequently the introduction to *sensuality*. 2. To guard the *senses*,
and

^m Enchirid. Cap. xlvii.

and avoid every thing which may be an *incentive* to lust. Does the *free* use of some meats, and drinks make the *body ungovernable*? Does *reading* certain books *debauch* the *imagination*, and *inflame* the passions? Do temptations often enter by the *sight*? Have public plays, mixed dancings, effeminate music, idle songs, loose habits, and the like, the same effect? He who resolves upon chastity cannot be ignorant what his duty is in all these, and such like cases. 3. To *implore* God for his *Spirit*, which is a spirit of purity; and by the utmost regard to his presence, and operations, to endeavour to retain him with us.

SECTION X. Of the more *refined* sort of pleasures, are the *diversions* and *amusements* of life. *Diversions* must be indulged to the *weakness* of human nature, which will not bear an uninterrupted application to business. But then they must be *lawful*, and of *good report*; that neither we ourselves, nor others, may find a poison in our pleasures. They must be *seasonable*; "*cum gravibus seriisque rebus satisfecerimus.*" "When we
 " have dispatched our serious and important
 " affairs." And they must be *moderate*, in respect of the *time* which they take up, wherein they ought never to intrench upon
 our

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our necessary and important affairs. For as a *traveller* may step aside to view a fine house, or any other curiosity that lies a *little* out of his road, but soon returns again, and is careful not to make so many of these *excursions* as to hinder his main journey; so should it be in diversions, which are but as so many *deviations* from the road of business. It has been the opinion of some, that we ought not to give more of the day to *diversions*, than we do to *devotion*. In regard to the *passions*, that they be not inflamed, or too much engaged by them; and as to the *expences* we lay out upon them, they should not be more than are consistent with *prudence*, and *charity*. Among the *amusements* of life, are *conversation*, and the less *serious studies*; which not being of so immediate use themselves, ought to serve the same ends as to the mind, which other diversions do to the body; to revive it when languishing, and recruit it when fatigued. The mind, if kept too long upon the bent, loses its force and elasticity: and then they are never to thrust out things of greater importance. I shall say a word, or two, as to *rest*, and *sleep*, which are not so properly *pleasures*, as *indulgences*. The *end* of these is the best *measure* of them; and that is to invigorate the body, rally its scattered spirits, and prepare it by repose for new labours. Every one therefore ought to
use

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use *conscience*, and *prudence* in this matter,
not denying himself what is necessary to an-
swer these ends ; nor giving the body so
much as would be *hurtful* to it, or at best
useless.

Consult on the subjects of this Chapter.

Aristotel. Ethic. Lib. IV. Cap. i, viii, ix.

Plutarch. Vit. *Agefilai*.

Whitbii Ethic. Lib. II. Cap. iv. Sect. iii,
iv, v.

Puffendorf. de Jure Naturæ et Gentium,
Lib. VI. Cap. i. Sect. 3, 4.

Tillotson's Works, Vol. II. Sermon. xxxvi,
—xxxix. Vol. III. Sermon. cviii, clx.

Burton's Discourses, Vol. I. Sermon. i.

Lucas's Sermons, Vol. II. Sermon. ix.

Evans's Sermons, Vol. I. Sermon. i, v, vi.
Vol. II. Sermon. v, vi.

Foster's Sermons, Vol. II. Sermon. viii.

— Discourses, Vol. II.

Watts's Sermons, Works, Vol. I. Sermon:
xxvi, xxvii.

Wright's Great Concern, Chap. VII.
Sect. ii.

— Human Virtues, Chap. viii, ix.

Scott's Christian Life, Vol. I. Sect. i, iii.
Vol. IV. pag. 263, &c.

Scott's

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Scott's Regulation of Diversions, Vol.

VIII. pag. 473—512.

Grove's Works, Vol. VI. Sermon. iv. v.

—*Practical Christianity*, Part. I. Chap.
iv. Sect. 3.

Hartcliffe's moral and intellectual Vir-
tues.

Clarke's Sermons, Vol. IX. Sermon. v.

Hort's Sermons, Sermon. viii.

Collier's Essays, Part. I. Essay i. Part. III.

Essay vi, vii, viii.

Bluett's Answer to the Fable of the Bees.

Sect. vi. and Appendix.

Philemon to Hydaspes, Part. I.

Watts's Miscellanies, Works, Vol. IV.

pag. 508. N^o. 35, 36.

Spectator, N^o. 255, 394, 551, 569, 574,
579.

Pope's Ethic Epistles on Riches.

Turnbull's Heinecc. Book I. Cap. vi.

Stanley's Life of Epicurus.

Tatler, N^o. 186.

Bernier's Discourses on Happiness, Vir-
tue, &c. Book II. Chap. vii.

Esprit's Deceitfulness of human Virtues,
Part. II. Chap. iii—vii.



CHAP-



CHAPTER VII.

Of Justice in general, its Distinctions, and the Principles on which it is founded.

SECTION I. **T**HE next member of the apostolical division of the Virtues is *Justice*; a word sometimes used in so wide a sense as to take in the whole duty of man, whether to God, to his neighbour, or to himself. This may be stiled *universal justice*, and in this latitude of meaning the term *righteousness* frequently occurs in Scripture. This is that general law,^a which in the discourse on the *Law of Nature*, was assigned as the *foundation*, and *summary* of all the rest. ^b Cicero was not ignorant, that justice expresses more than the performance of the duties owing to our fellow-creatures, for according to him, *Est enim pietas justitia adversum Deos*. “*Piety is justice towards the Gods.*” But in the division of the virtues which we now follow, *justice* is confined

^a See above, pag. 67, 68, 93--95.

^b De Naturæ, Deorum. Lib. I. Sect. xli,

finer to the modelling our behaviour towards *men*. Justice is a *social* virtue, and has a necessary respect to the *persons*, and *rights* of *others*. Now as there is a *twofold* right, so in this distinction of right is founded a correspondent distinction of justice. A right, as I have shewn elsewhere, ^c is either *perfect* or *imperfect*. A *perfect* right is that which persons have to things *properly their own*, the rendering of which is the payment of a *debt*, rather than the conferring of a *favour*. A right which *human* laws as well as *divine* generally allow men to *challenge*, and assist them to recover. I am not obliged to every one who does not rob or murder me. The *making* of a *promise* may be *free*, but the *performance* of it is not so. If a man forcibly takes or detains what is another's, there are methods appointed by the law of obliging him to restore it. An *imperfect* right detracts nothing from the *kindness*, *respect*, and *good-will* of those, who give to others what they can only claim by virtue of such a right ; but leaves such actions their whole lustre and merit. Notwithstanding any such right, men are obliged to their *benefactors* for doing what they could not have been *constrained* to do, and which demonstrate the *goodness* and *generosity* of their temper ; being so an act of *justice*, as at the same time to have the nature of a *gift*.
The

^c Vol. I. pag. 501, 502.

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 The offices of *civility, gratitude, and charity*, stand upon this foot. It is the *first* sort of right that the *Roman* law intends by the word *suum*, his *own*; as the other is expressed by *ἀξία* in the *Greek*, in the *Latin* by *dignitas*, or *meritum*, and by *worthiness* in *English*. A-kin to this is ^d *Seneca's* distinction between *beneficium*, *officium*, and *ministerium*; at least it may well enough be brought in here to illustrate the distinction before-mentioned. “A *benefit* is something given
 “ which might without any *reproach* have
 “ been withheld. An *office* is of a *son*, a
 “ *wife*, or of any of those persons whose
 “ relations to us put them under a *kind* of
 “ obligation to assist us; at the same time
 “ that we cannot *compel* them to give us
 “ this assistance. A *ministry* is of a *servant*,
 “ that is of a *slave*, not *servus conductitius*,
 “ who has *nothing to claim* from his master
 “ for the service which he performs to
 “ him.” Thus by doing to another what
 in *strict justice* we are bound to do, we cannot pretend to lay him under any obligations to us.

SECTION II. The distinction of *justice* grounded on this distinction of *right* is into *simple* and *mixed*; or according to *Puffendorf* *universal* and *particular*, according to *Grotius* *expletory* and *attributive*. By *simple*

^d De Beneficiis, Lib. III. Cap. xviii.

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ple justice, I understand justice in the strictest notation of the word, of which ^c Cicero says, *Hæc una virtus omnium est domina & regina virtutum.* "That it is the *" mistress, and queen of all the other virtues."* I call it *simple* justice, because it is *mere* justice. By *mixed* justice, I mean that which has *other* virtues *joined* with it, as *humanity, liberality, and the like*; from which it has its denomination; losing its own name like a river, which at its first rise is called by one name, and after its mixture with other streams by another. ^f *Justitiæ conjuncta est beneficentia*, says Cicero, "*Beneficence is connected with justice.*" And again, *Injustitiæ duo sunt genera, &c.* "There are two kinds of injustice, one of those who do an injury to others; another with which they are chargeable, who neglect to defend and vindicate the injured, when it is in their power." And to the same purpose ^g Antoninus, "A man may be unjust not only by *doing*, but *neglecting* to do something." These great men, from the passages now quoted, appear to have had a more extensive idea of justice, than that word commonly suggests, and to have been of opinion, that the duties of *humanity* are parts of justice properly so called.

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^c De Officiis, Lib. III. Cap. vi.

^f Ibid. Lib. I. Cap. vii, viii.

^g Περὶ Σεμνότητος, Lib. IX, Cap. v.

SECTION III. I begin with *simple justice*, or justice in the *strict* sense of the word. This is well defined by the ^h *Civil Law*. *Iustitia est constans & perpetua voluntas ius suum cuique tribuendi.* "Justice is a constant and prevailing will, or disposition, to render to every one his due." By *voluntas* must be meant not *any inclination*, but one that is *prevalent*, and raised to a fixed disposition. For an inclination to justice which is mastered by some *stronger* inclination, cannot be said to be a will or disposition, since it is impossible a man should be unjust, who has a *will* to be just. The will necessitates all those actions which are in a man's power. Justice as ⁱ *Aristotle*, and others after him, have observed, (and the same may be said of all the other virtues) may be attributed to *persons*, or *actions*. To constitute a *just person*, he must study to do *just things*, and to do them justly, or out of regard to his duty; not to serve by-ends. A just person may do an unjust action, and an unjust person an action that is just; each acts contrary to his proper character: the one out of *infirmity*, the other from the motives of *interest*, or *vain-glory*. The one, as soon as he comes to reflect, *repents* of the *injustice* he has done; as the other does of his ^{good}

^h Instituit, I. i.ⁱ Ethic. ad Nicom. Lib. II. Cap. iv.

good actions, if they do not answer his end in doing them. The *medium* between the just man, and the unjust is he, who in his general course acts *justly*, but not upon *just* and *right principles*.

SECTION IV. What has been now said puts me in mind of an observation of Monsieur *Euremont's*, which I doubt hath too much truth in it ; “ that there is a ^k *secret* “ *aversion to justice* in men, and though they “ may seem to do what is just, yet it is often not from any *inclination* they have to “ act from the principles of *justice*. *Generosity*, *friendship*, and *greatness of soul*, are “ the *general* sources of our actions. *Charity* “ supplies our neighbours wants, *liberality* “ bestows, and *generosity* obliges ; and out “ of a *greatness of soul*, we scorn to cheat : “ but *justice*, which ought to partake in all, “ is laid aside as too burthensome ; and necessity alone gives it a share in our actions. It is this latent *aversion to justice*,
R 2 “ which

^k Upon second thoughts it appears more just to human nature, and to the *Author* of it, to say ; not that we have a *secret aversion to justice*, but a *stronger disposition to generous actions*, than to actions *merely just* ; being prompted to one by our *affections*, to the other *only* by our *reason*. Besides our *moral sense* strongly excites us to *kind and generous actions*, as we are by it determined greatly to approve them ; whereas we do not greatly approve ourselves for doing *merely just* actions, though we condemn ourselves severely for unjust ones. We are not then *naturally averse* to justice, but more *strongly impelled* by natural *generosity and kindness*.

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“ which makes us fonder of *giving* than
 “ *receiving*, and *obliging* than *acknowledg-*
 “ *ing* ; I may add, of conferring a favour
 than paying a debt. Thus we see the most
 liberal, and generous men are not always the
 most just ; justice includes a regularity which
 bridles them, as being founded on a constant
 method of reason ; which is often opposite
 to those natural impulses, that are the
 hinges upon which liberality almost always
 turns.

SECTION V. Justice derives not its being
 from *fear*, as Mr. *Hobbes*, following the an-
 cient *atheistical* politicians, affirms it to do ;
 who supposes mankind in their *natural* state
 to have a licence uncircumscribed by any
 other bounds, besides their own natural
 force. A licence which they are induced
 to exchange for a more limited right in so-
 ciety, to prevent that war of every one with
 every one, which would be the consequence
 of every one's insisting upon his natural
 rights. This is finding out a *scandalous* ori-
 ginal for one of the best things in the world ;
 for as ¹ Dr. *Cudworth* says excellently ; “ ac-
 “ cording to this hypothesis, justice and civil
 “ government are plainly things not *good in*
 “ *themselves*, nor *desireable* (being a hindrance
 “ of liberty, and nothing but shackles and
 “ fetters) but by *accident* only, as necessary
 “ evils,

¹ Intellect. System. pag. 891.

“ evils. They are *lesser evils* submitted to
 “ purely for the sake of avoiding a *greater*.
 “ For whence it inevitably follows, that
 “ all men must be *ακοντες δικαιοι*, *unwillingly*
 “ *just*; or not with a *full and perfect*, but
 “ *mixed will only*.”

SECTION VI. The *true principles of justice*, and which can prove its only solid foundation, are such as these.

i. It is reasonable that *his will*, who is the *common Father* of mankind, should be the *measure* of their *behaviour* one towards another. Now from that *reasonable nature* which is *common* to all men, and which they have all received from the *same fountain* of existence, and from that *provision* which he hath made for the wants of *all*, *his pleasure* is easily known to be this: that they should live together like *brethren*, the off-spring of the same parent. It can never be thought a thing pleasing to God, who has originally the same affection for one as for another, that one man by fraud or violence should usurp dominion over another, or any way molest or hinder him. Besides, that this would introduce *confusion* into his works, the *glory* of which is their *order* and *harmony*. From the structure of the *natural* body we perceive it to be the intention of the Creator, that every part and member should have its proper degree of nourishment and

growth ; and where any one of them thrives (if it may be called thriving to exceed its due proportion) at the expence of the rest, it is a sign that body is not in its natural and primeval state. It is the same with the *whole body of mankind*, among whom it would be as *unnatural* for one man to grow rich or powerful by the *oppression* of his neighbours, as for a *limb* in the animal body to become *gross* and *unweildy*, while its fellow members wither and die. ^m *Si enim sic erimus affecti, &c.* “ If this be the disposition of mankind, that every one for his own advantage should oppress and rob his neighbour ; it is necessary that society, which is the most natural state of mankind, be intirely dissolved. Just as in the human body, the whole must be weakened and destroyed ; if every member could have this persuasion and act upon it ; that it should flourish by drawing to itself the strength and nourishment of the member nearest to it.” Thus from that *original* and *universal* society to which all mankind belong, necessarily flow obligations to mutual justice ; and Mr. *Hobbes's* *state of war* appears to contradict the very first view of human nature. But besides this *general* society, *particular* civil societies have by the *direction of nature* been erected in several parts of the world. I say by the *direction of nature* ;

^m *Cicero. De Officiis, Lib. III. Sect. v.*

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nature ; the *author* of which has formed his *rational* creatures, with a strong bent and inclination to *combine* into *bodies politic*. It is justly therefore observed by ¹ *Cicero*, *Ut apum examina, non fingendorum, &c.* “ As
“ swarms of Bees affect, and are united to
“ each other, not with the sole view of
“ forming their combs, but being by na-
“ ture sociable, are hence led to unite in
“ forming their cells ; so mankind, who
“ are by nature much more strongly in-
“ clined to society, to unite their powers of
“ contrivance and action in pursuance of
“ this uniting affection——Nor is that true
“ which is asserted by some, that it is mere-
“ ly the desire of procuring by the *help* of
“ *others* those necessaries and conveniencies,
“ which cannot be had without them, that
“ prompts men to desire and cultivate so-
“ ciety. For on the contrary, were every
“ thing proper for food and clothing con-
“ stantly brought to us by a divine hand,
“ and every great genius was thus at full li-
“ berty to devote himself wholly to study
“ and contemplation ; instead of retiring
“ from mankind for this purpose, he would
“ shun solitude, and seek a companion, with
“ whom he might give and receive commu-
“ nications of knowledge, and exchange
“ kind offices.” It is *inclination* therefore
which makes men seek *society*, not the bare

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prospect

De Officiis, Lib. I. Cap. xliv.

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prospect of *advantaging* themselves by it; to *satisfy nature* more than to *defend themselves* from violence. And when societies are formed, though *justice* be *necessary* to make them flourish, and from hence is known to be the *will* of the great governor of the world; yet in the *nature* of things, the *obligation* to justice is *antecedent* to any society whatsoever. From the *inclination* to *society* with which God hath made man, we infer *his will* to be, that justice should be *cultivated*, which is *necessary* to the support of society; but civil society is not the *original* of justice. Were it so I would ask, what should withhold a *stronger* state from *invading* a *weaker*, with whom it has neither directly, nor indirectly, any *alliance*? What should hinder it from using that force which is not tied up by *contracts* of any kind whatsoever? There can be nothing to do this but *natural justice*.

SECTION VII. ii The *good* of the *whole* is to be *preferred* before the good of any *one part*. This is as self-evident, as that the *whole* is *greater* than a *part*; for if the whole be greater than a part, the *good* of the *whole* must be a *greater* good, than the good of one, or more of the *parts*. Is it *good*, pleasing to a most benevolent Creator, and consequently deserving the approbation and concurrence of every rational agent, that
this,

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this or that man should be happy? It is *much better* that a *greater number*, and *best* of all that *all* should be so. But tell me a way of making all men happy without a constant regard to the rules of justice. I might have offered this as a proof of the former proposition ; but judge it better to mention it as a distinct principle. ^m Bishop Cumberland not only resolves *justice*, with the several duties annexed thereto, into this principle, but even the *right of self-preservation* ; asserting, that it cannot be known, whether any one has a right to preserve himself, unless it be likewise known, whether it conduces to the *public good*, or be at least consistent with it. This, he says, is the *original* of our right to preserve ourselves: *Ortus juris nostri ad nostram conservationem*. But though the *right of self-preservation* may in *some* cases be *limited* by the *public good*, as of the greatest weight and consideration ; yet I do not think it proper to say, that it has its *original* from it. The *consistence* of our private good with that of the universe, may be the *condition* upon which our right to secure it is suspended, and yet the *cause* be something perfectly distinct: for instance, the bountiful *grant* of our *Maker*, or the *very being* which he has given us ; which without any farther gift seems to carry with it a right of self-preservation. Besides, I *deny* the

^m De Legibus Naturæ, Cap. I. Sect. xxiii.

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the *limitation* here given of this right, *viz.* that we *know* our self preservation to be *consistent* with the *publick good*; for it is enough that we do not know it be *inconsistent*.

SECTION VIII. iii. It is altogether *reasonable*, that we should, or should not do *to another*, what we would, or would not that he should do *unto us*. Every man is agreed to think every *other* man *unjust*, who *deprives* him of any good thing which he *lawfully* enjoys; even they are of this mind who make no scruple of preying upon others. We shall therefore do well to consider, that *others* may reasonably expect of *us*, whatever we may reasonably demand of them. We cannot imagine surely that *all* other men are to be *governed by laws* in their dealings with us, but that *we* are to be *without law*, or without any other law besides our own *partial will*. Our *nature* is no *better* than that of other men, neither have we a *better title* to our possessions, than they have to theirs; and what reason then can be given, since all men stand upon the same level, why they should not walk by the same *rule*? The foundations of this right behaviour towards others may be laid in *self-love*; as self-love is not *peculiar* to this, or that man, but *common* to all. If I love myself, and therefore think it reasonable that all others should avoid doing what would any way prejudice me;

me ; every one of them has the same love for himself, and may therefore desire the same deportment from me towards them. Nature, which instructs every man to preserve himself, cannot be supposed to teach any man to hurt another ; because upon this supposition it must dictate *contrary* things. The *prime* dictate of *nature* is, that every man *preserve himself* ; but that *any one* man should be preserved, if *every* man was *injurious* to others, would be absolutely impossible. Nature or reason cannot aim at things impossible or contradictory ; and therefore directs every individual to seek his own interest, in a way consistent with that of his fellow creatures, and conducing to it ; because in this way only the happiness of *every* individual is *possible*. In all doubtful cases, where this *rule*, of *doing to others as we would that they should do unto us*, cannot be observed ; it is the best way to take the *safest* part ; for a *good conscience* is preferable to the *greatest gain*. And as a judiciousⁿ writer observes, “ if we have a mind to
“ be *safe* we must make this a constant rule
“ of action ; in matters of *duty* to do the
“ *most*, in matters of *privilege* and divisions
“ of *right*, and proportions of *gain*, where
“ there is any doubt, to chuse the *least* : for
“ this is always *safe*.”

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ⁿ Tillotson's Sermon on *Matth.* vii. 12.

SECTION IX. iv. All men have their *rights* and *properties*. One man has a claim to this thing, another to that, one man to more of this world, another to less. He who is born to *least*, is born with a *right* to *life*, *liberty*, and *safety*. This is what no one who exercises his reason can deny. Now if there be *right*, there must be *justice*; these are correlates, which mutually suppose one the other : insomuch that it is not possible I should have a right in any thing, that is, a right of injoying and defending it; and, at the same time, another have a right to take it away without my consent. These two rights would be fire and water to one another. And this principle is further cleared and supported by what follows.

SECTION X. v. Whatever is *enjoyed* or *possessed* by a *moral agent*, *independently* of another, may be used, injoyed, and managed, without being subject to the *control* of that other. Provided, 1. That the possessor has not *alienated* or *forfeited* his right. And, 2. That he *uses it not* to the *prejudice* of any other person. This principle is extremely diffusive in its consequences. I shall only only take notice at present that the *natural equality* of mankind is built upon it; I mean an *equality* of *right*. For seeing all mankind enjoy their *beings*, and their *powers* of
action,

action, particularly their rational freedom of choice, and self-determination, as the *gift* of God, not at the pleasure of one another ; there can be no reason, that within the former limitations they should be *arbitrarily* restrained in the exercise of these powers. This equality subsists in all the *essentials* of *being* and *happiness*, under all the *changes* of condition to which every man is liable. For let a man's condition be what it will, be he high or low, rich or poor, a prince or a subject, as he has an *equal right* to what he *lawfully* possesses, with that any other man can have ; so there are certain possessions, the right of which he cannot *transfer* to another ; of which number are *life*, *limbs*, and *liberty* both *civil* and religious : in all which respects therefore the *meanest* person, while *innocent*, is equal to the greatest amongst men. ^a Mr. *Hobbes* has another way of proving the equality of mankind, from the *equal power* they have of doing *mischief*. *Æquales sunt, quia æqualia contra se invicem possunt. At qui maxima possunt nimirum occidere, æqualia possunt, sunt igitur omnes homines natura inter se æquales.* “ They
“ are equal, who can equally mischief one
“ another ; but they who can do the great-
“ est mischief, kill another, are equal in
“ their power of doing mischief ; there-
“ fore all men by nature are equal.” “ This
“ equality

^a De Cive, Lib. I. Cap. i. Sect. 3.

“ equality of *Hobbes*, says Monsieur Bar-
 “ *beyrac*, may be called an equality purely
 “ *physical*, all the consequences of which
 “ may be reduced to this maxim of *pru-*
 “ *dence* ; that we ought not *rashly* to *insult*
 “ another, because having an *equal power*
 “ against us, he may repay the ill turn
 “ which he receives from us with usury.
 “ Whereas it is a *moral equality*, or an *equa-*
 “ *lity of right*, that must be laid as the
 “ *foundation of justice.*” *Puffendorf* deduces
 this equality of mankind from the *sameness*
 of nature ; but does not the objection against
Hobbes’s account bear in a lesser degree
 against this, that it is a *physical* equality ?
 And must we not therefore add what is im-
 plied in the principle above, that this com-
 mon nature is *rational* and *received from*
God ; not *lent* us by our fellow creatures ?

SECTION XI. The great *principles of jus-*
tice being settled, I now come to the *division*
 of it. ¹ *Aristotle’s* lies thus ; *justice is uni-*
versal, or particular. *Universal* justice con-
 sisting in the observation of the *laws*, which
 extend to *all* the actions of mankind capa-
 ble of good or evil, is comprehensive of the
 whole list of the virtues. This gave occa-
 sion to the common saying.

Εν δε δικαιοσυνη συλληβειν πας Αρεην εστι.

“ All

¹ *Puffend.* De Jure Naturæ & Gent. Lib. III. Cap. ii.
² *Andron. Rhod.* Lib. V.

“ All virtue is included in righteousness.”
 So that justice differs from *universal virtue* only in this, that the *latter* has respect to *ourselves*, the *former* to *other* persons. For as often as a man turns his virtues to the advantage of others, his virtue is called justice; and he deserves the character not only of a *good man*, but a *good citizen*. *Particular justice* respects the *rights* of *other* men, and consists in the observation of *equality*, or in *challenging* no more than is *our own*; and in *giving* to *others* what is *theirs*. *Particular justice* (the same with that I term *simple*) is either *distributive*, or *commutative*. *Distributive justice* is concerned in the *distribution* of things, as *honours*, *money*, or whatever else uses to be divided among the members of a society; for in all these there is room for *equality* or *inequality*; and therefore to distribute as we ought, is a part of justice. Put the case, that a sum of money is left in my hands by some *charitable* person to be distributed to the most *proper objects*, in proportion to the *exigencies* of their case, and the *worthiness* of their persons. What is *charity* in the original *donor*, as to me is *distributive justice*; so that I should be *unjust* by *applying* the money to my *own* use: or making a *division* of it *contrary* to the *intention* of the donor, and the *reason* of the thing. *Commutative justice* superintends the *management* and *disposal* of such things, as
 come

come into *compact*s and *agreements*; for which reason they call it συναλλακτική, *contractive*, or the το διορθωτικόν of justice, that is, *corrective*, or rather *directive* justice. And as *obligations* may be contracted *voluntarily* or *involuntarily*, communicative justice has to do with both these. With *voluntary* contracts, as *buying*, *selling*, *lending*, *depositing*, *letting out to hire*, and the like. With *involuntary* contracts, whether *clandestine*, as *theft*, *adultery*, *poisoning*, and the like; or *violent*, as *wounding*, *imprisoning*, *calumniating*, *killing*, and the like. This is the *Aristotelian* partition of justice, which I was willing to lay before you, without designing to follow it. Dr. *More's* is that upon which I shall proceed, viz. into *Ethical*, *Oeconomical*, and *Political*. *Ethical* considers all mankind as upon a *level*; *oeconomical* as associated into *families* under the several relations of *husband* and *wife*, *parents* and *children*, *masters* and *Servants*: *Political* as united into *public states*, and *obliged* to certain *duties*, either as *magistrates*, or *people*.

Consult on the subject of this Chapter, besides the Books quoted.

Aristotel. Ethic. Lib. V. Cap. i, ii.

Plutarch. in Vit. *Aristidis* & *Catonis*.

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Grotii De Jure Belli & Pacis, Lib. II.

Cap. xx.

Puffendorf. De Jure Naturæ & Gent. Lib.

III. Cap. ii.

Mori Enchirid. Ethic. Lib. II. Cap. iv.

Whitbii Ethic. Lib. II. Cap. v. Sect. 1, 2.

Tillotson's Serm. at the morning exercise,
&c.

Goodman's seven Sermons on *Matth.* vii. 12.

Lewis Atterbury's Serm. Vol. I. viii.

Francis Atterbury's Serm. Vol. III. ix.

Moss's Serm. Vol. VIII. Serm. viii.

Ibbot's Serm. Vol. II. Serm. ii.

Orr's Serm. Vol. II. Serm. xii.

Evans's Serm. Vol. II. Serm. ix.

Grove's Works, Vol. III. Serm. i, ii.

Hutton's Serm. on *Matth.* vii. 12.

Bott's Affize Sermon.

Scott's Christian Life, Part I. Chap. iii.

Sect. 3. Part III. Chap. i, iii, viii.

Hartcliffe of moral and intellect Virtue.

Wollaston's Religion of nature.

Collier's Essays, Part IV. Essay ii.

Eachard's Dialogues against *Hobbes*.

Wright's Great Concern, pag. 125—154.

— Justice in all its branches.

Turnbull's Heineccius Lib. II. Cap. i.

— Discourse upon the Nat. and Orig. of
Moral and Civil Law.

Esprit on Human Virtues Ch. xxiv. xxv.

Montesquieu's Spirit of Laws.

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CHAP.



CHAPTER VIII.

Of Negative Justice ; and of Injuries committed against the Soul, the Body, the Reputation, the Relations, and Possessions of our Neighbour ; and of Self-defence.

SECTION I. **T**HE Precepts of Justice, says the ^a *Civil Law*, are these three, *honesté vivere, alterum non lædere, suum cuique tribuere*. “ To live honestly, “ to injure no one, and to render to all their “ due.” By the precept of *living honestly* is intended, I suppose, every part of a virtuous behaviour ; *honesty* and *virtue* being in the *Latin* tongue equivalent terms. The two last precepts belong to *strict* justice, and upon them I shall ground a distinction of justice into *negative* and *positive* ; though this distinction is really contained in that single precept of “ rendering to all their due : ” since every man has a *right* to exemption from *injurious* actions, which is *negative* justice ; as well

^a Institut. I. i.

well as to the *performance* of all those actions, which by *contract*, or any other way are *due* to him, which is *positive* justice. So that if I proceed upon the distinction of justice into these two parts, *not injuring another*, and *rendering to all* their due, it is only that I may not be thought wanting in respect, to what is become *venerable* by long usage. Some distinguish between *injustitia* and *injuria*; and if we have a mind to do so too, the clearest distinction seems to be that, which is suggested by the distinction of justice now given. *Injustice* is opposed to justice in *general*, whether negative or positive; an *injury* to *negative* justice alone. An *injury* is *wilfully* doing to *another* what *ought not* to be done. This is *injustice* too, but is not the *whole* idea of it; for it is *injustice* also to *refuse* or *neglect* doing what *ought* to be done. An *injury* must be *wilfully* committed; whereas it is enough to make a thing *unjust*, that it happens through a *culpable negligence*. From what has been now observed, it appears, that the common maxim, *Volenti non fit injuria*; "that is" *no injury*, which is done to another with "his *consent*," will not hold. ^b *Puffendorf* indeed, who saith, it would be *injustice* to kill a man who *desired* it, denies that it would be an *injury*; for an *injury*, he thinks, must be always done *against* the consent of the

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person

^b De Jure Naturæ & Gent. Lib. I. Cap. vii. Sect. 15.

person injured. But if it be considered, that the consent in this and many like cases is given by persons, either not in full possession of themselves, or not fully knowing the nature and state of the action, it ought to be rectioned as *no consent* : And where it leaves the *action unjust*, as *Puffendorf* himself owns it does, cannot take away the *injuriousness* of it. It to me a thing as plain as any in Morality, that the plea of *consent* is of no weight at all, as often as that consent is *extorted by force*, or proceeds from a *violent passion*, from a *dereliction of reason*, from *mistake*, or from *necessity* ; of which more will be said hereafter. A person may be *injured* in his *soul*, his *body*, his *name*, his *relations*, and his *estate*.

SECTION II. i. We may *injure* a person in his *soul*, by *misleading the judgment* into hurtful errors, by *corrupting the imagination* with impure sensual ideas, or by *perverting the will* to evil choices and actions. And if we consider an *atheistical*, or a *licentious*, and debauched *writer* in this view, we must be sensible, that he has a thousand times more to answer for than a public robber. And the wit and false colours of reasoning which they use, to hide and sweeten the poison of their opinions and sentiments, only add to their guilt. As many readers as they corrupt, so many persons do they injure in their
most

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most valuable interests. Nay, as they write with a desire, if not hope, to be read and approved by *all*, they are chargeable with an attempt to seduce *all* they can into the service of the devil; and like him, their master, to destroy *all* mankind. Yet farther, we may injure the soul of another by *wounding* it with grief, or by throwing him into a violent passion; which whosoever does out of a malicious pleasure to see others uneasy, or expose themselves, is guilty of very great *barbarity*. Finally, *persecutors*, who *succeed* in their compulsive measures, do the greatest injury to the souls of all over whom they prevail; since *external* violence, fines, or punishments, cannot alter the *real* sentiments, or produce an *inward* conviction, though they may bring men to an external profession. An external profession, even of the truth, contrary to the inward sentiment, is *hypocrisy*; and renders those guilty of it most displeasing to God, who before being *sincere*, though *mistaken*, were pleasing to him; the successful persecutor does therefore the greatest injury to the souls of such, while he impiously invades the *rights* of God, and of *conscience*.

SECTION III. ii. We may *injure* another in his *body* these following ways. By *Homicide*, or bringing *death* upon the body, which when done with a *premeditated* design,

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 whether immediately by *ourselves*, or by
others, as our *instruments*, is downright *mur-*
der ; when *undesignedly*, or not out of *malice*
prepenſe, is by our law called *Manſlaughter* ;
 and is capable of degrees of guilt, according
 as there is more or leſs of the *will* in it.
 Near a-kin to this is knowingly *preventing*
life, where otherwiſe it would have been ;
 a thing often practiſed by ill women, and
 vindicated by the ^c *Jefuits* ; though it muſt
 be hard to ſhew any great difference be-
 tween deſtroying life, and deſtroying what,
 if let alone, would have had life. *Si mulie-*
rem viſceribus ſuis vim intuliſſe, quo partum
abigerit, conſtiterit ; eam in exilium præſes
provinciae exiget. “ If it is proved, that a
 “ woman has deſtroyed the child with
 “ which ſhe was pregnant, let her be ba-
 “ niſhed ;” ſays the ^d *Civil Law*—By *diſ-*
membering the body, by *wounds* and *blows*,
 by *ſlavery* and *imprisonment*, or any unjuſt
reſtraints upon its liberty, by *robbing* it of
 its *chaſtity*, or by *prejudicing* its *health*, or
 cauſing any diſorder in it. The particular
 conſiderations, which aggravate the injuſtice
 committed in either of theſe inſtances, are
 too notorious to need naming ; I ſhall there-
 fore inſiſt on ſomething more material.
 Every man holding his body by an *immedi-*
ate tenure from *God*, to diſlodge the ſoul
 from

^c *Morale des Jefuits, Tome II.*

^d *Digeſt. XLVIII. viii. 8.*

from its proper mansion, or any way to incommode it, belongs to none but the sovereign proprietor, or such as have authority, or leave from him to do it. It is not lawful to hurt another's body but in these three cases, viz. *Self-defence*, a *forfeiture* of it to *public justice*, either in *whole*, or in *part*; or an immediate call from God, which last justified the *Israelites* in putting the inhabitants of *Canaan* to the sword. These two last cases are plain enough without any comment annexed; the business of *self-defence* has more difficulty.

SECTION IV. Some to treat this matter with the greater clearness, consider man first in a state of *natural liberty*, and then as *subject* to *civil government*; but the difference occasioned by these different states, does not so much respect *self-defence*, strictly so called, as the *revenging* of an injury, or *caution* against it. For either I am able to avoid the injury offered me, without opposing force to force, and then I am obliged to take the *safer* course, in whatever state I am considered, whether of nature or society; or I cannot, and then I am ordinarily allowed by the laws of society to go as far in my defence, as I could warrantably have done in a state of nature. As to the *revenging* an injury received, or *preventing* one threatened, there is, I confess, a great deal of dif-

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ference. *Out of society* every man is *his own magistrate*, and may punish the wrongs done him according to the proportion, at which his *own reason* rates them. Nay further, he is intrusted by nature with a *general execution* of her laws; so that if any other person suffers he has a right to avenge him. For he who notoriously violates the rights of any single person, violates that law of nature which is the common band of the whole species; and thereby becomes an *out-law*, and may be justly punished by any one that meets him. Therefore *Cain* having murdered *Abel* his brother is afraid, that every one who found him would slay him, Gen. iv. 14. That this is right reasoning, I appeal to the manner of proceeding between independent kingdoms and states^e; which in respect of one another remain in a true state of nature. Does a prince unjustly invade his neighbours dominions? Other potentates, though not immediately concerned, arm against him; for by waging an unjust war against some particular state, he is understood to declare war against the rest, and to make the ruin of the one a step to the conquest of the other. This holds more especially when the injury is of that nature, as to put the injured person himself out of a capacity of revenging it. His cause, by this means, evidently becomes the cause of mankind,

^e See above, Vol. I. pag. 505, 506.

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kind, who may and ought to prosecute the wrong doer, till he hath made satisfaction for the wrong he hath done.

SECTION V. As to *cautionary* methods of preventing injuries in a *state of nature*,^f Mr. Hobbes gives men full liberty to begin hostilities for injuries *barely suspected*, if it be only that another has it in his power to do them. I shall not stay to confute so wild an opinion, having in another place said enough to shew the absurdity of the principle upon which it rests, *viz.*^g that *every man in a state of nature has a right to every thing*. Others therefore, more reasonably, restrain this liberty of using cautionary force, to the discovery of an *intended wrong* by words, or by *overt actions* as significant as words: Thus does the case stand in a state of *natural independence*, with relation to the punishment of an injury done, or guarding against an injury feared. But to the *members of society* this is not allowed, who would be guilty of invading the office of the public *magistrate*, should they take upon them to be judges in their own cause; and neglecting the security which the law hath provided, should have recourse to ways of prevention, not only *besides*, but, *contrary* to the decrees of the state. But to return to the
case

^f De Cive, Cap. V. Sect. i.

^g See Vol. I. page 495, 496.

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case of *Self-defence*. Some condemn *all resistance*, whatsoever be the evil offered, or whosoever be the person that offers it. Others will not admit that it should pass any farther than *bare resistance*. Others say, that it must never be carried so far as *hazarding the life* of the assailant; and ^h others again, who deny it not to be *lawful* in some cases to kill the aggressor, at the same time affirm it to be a thing *more laudable*, and consonant to the *Gospel*, to chuse rather to lose one's life in imitation of *Christ*, than to secure it at the expence of another's, in pursuance of the *permission* of nature

SECTION VI. Notwithstanding the *great names* which may appear on the side of any of these opinions, I take leave to say; that I cannot but think *necessary self-defence*, though it proceeds to the *killing of another* to save one's self, is in common cases not barely *permitted* but *injoined* by nature; and that a man would be wanting to the *author* of his *being*, to *society*, and to *himself*, to abandon that life with which he is put in trust. That a person forfeits his own life to the sword of justice, by taking away another's unprovoked, is a principle not to be disputed. This being so, I ask, whence should arise the obligation to let another kill me, rather

^h See Bishop *Taylor* in his great Exemplar, and Bishop *Blackball's* Sermons, 8vo. Vol. IV: Sermon iv.

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rather than venture to save myself by destroying my enemy? It cannot arise from a regard to *society*, which by my suffering another to kill me loses *two* lives; that of an honest man by unjust violence, and that of his murderer, if it can be called a loss, by the hand of justice. Whereas by killing the invader of my life, I only *take* a life which must otherwise have been *forfeited*, and *preserve* the life of an *innocent* person. Nor, for the same reason, can there be any such obligation arising from the *love* of our *neighbour*; since I do not really *save* his life by parting with my own, but only leave him to be put to death after a more ignominious manner by the public executioner. And if it be said, that I dispatch him with his sins upon him into the other world, which he might have lived long enough to repent of, if legally condemned; as he must answer for that, who brought me under a necessity of using this method for my own preservation; so I myself may not be so well prepared, or may not think myself so, or so we assured of it, as to venture without a more exact purifying of my soul into the presence of my great judge: and no charity obliges me to prefer the safety of another's soul to my own. Let us therefore inquire, when, and against whom, self-defence may be with justice practised.

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SECTION VII. i. In case of an attempt made upon the *life* of a person, against which he has no other way of securing himself, but repelling force by force, he may make use of this. So the ⁱ *Civil Law* determines, *Qui latronem insidiatorem occiderit non tenetur, utique si aliter periculum effugere non potest.* "He who attacked by a robber" and murderer shall kill him is guiltless; "since he could not otherwise preserve himself." And not only he who directly aims at my life, but who would *deprive* me of a *limb*, may be thus dealt with; for besides that the loss of a part may be mortal in the consequence, it is never to be repaired.

ii. It is generally esteemed lawful to kill in the *defense* of *chastity*, supposing there be no other way of preserving it; not only *our own*, but the chastity of a person whom we may call our's, as a *wife*, or a *daughter*, saith the ^k *Civil Law*. *Item divus Hadrianus rescripserit, eum qui stuprum sibi, vel suis, per vim inferentem occidit, dimittendum.* "It is a *rescript* of the Emperor *Hadrian*, "that whoever kills a person by force, endeavouring to violate his, or his family's "chastity, shall be free from punishment." *Maimonides's reason* for the lawfulness of killing

ⁱ Institut. IV. iii. 2.

^k Digest. XLVIII. viii. 1, 4.

killing the injurious, in the defense of life or chastity, is that these *injuries* are *irreparable*. No one, I fancy, will deny this method of preserving one's chastity, to be justifiable in a *state of nature*; and if so, it must be the same in *society*: since it is not possible the injurious person should ever make satisfaction for a wrong of this sort, whatever fine or punishment the magistrate may lay upon upon. But then the *restriction* of the ¹ *Civil Law* in another case must be understood here, that it be done, *tuendi duntaxat, non etiam ulciscendi causa*; "for defense of chastity, not in revenge for the violation of it." After the injury is committed it is no longer *self-defense* to kill the person who did it, but *revenge*; which ought to be left to the magistrate.

SECTION VIII. iii. What must be said of injuries which do not touch life, or chastity, as a *box on the ear*, a *blow with a cane*, or *robbing* one of *money* or *goods*? As to *little* injuries, such as those of the first kind, I doubt not the lawfulness of resisting them, but not *unto death*. *Charity* would forbid this even in a *state of nature*, as *justice* itself does in *society*; and much more do the precepts of the *Gospel* forbid it. It is therefore a strange thing, as ^m *Grotius* observes, that there

¹ Digest. XLIX. ii. 45.

^m De Jure Belli & Pacis, &c. Lib. II. Cap. i. Sect. 10.

there should be found *Christian divines*, who not only permit men to *murder*, that they may prevent a *box on the ear*, but even *after* it is given, and he who did it is fled; for the *recovery*, as they pretend, of a man's *honour*. You may well think none but *Jesuits* are capable of being the authors of such a decision. In the *defense* of our *goods*, it is to be considered of what *value* they are, and whether we are able to bear the loss of them. In case the damage sustained would be considerable, ^a *Grotius* thinks, "setting aside *divine* (he cannot mean *natural*, but *revealed*) and human laws, the robber, if need be, may be made to pay for his faults with his life: but under the *Gospel* he judges this to be prohibited." I am much of the same mind, as to the lawfulness of such defence; but not altogether for the reasons given by that author, and others; namely, my neighbours being made in the *image of God*, and of the *same blood* as myself. For if these reasons alone prove their point, they also make it unlawful to *prosecute* a man for any kind of robbery, which is punishable with *death*; since by such a prosecution I as effectually take away his life, as if I did it with my own hands. The reason therefore which determines me is this; that nothing can make amends for the *disproportion* between the life of a man, and

^a De Jure Belli & Pacis, &c. Lib. II. Cap. i. Sect. 11.

and a sum of money, but the *benefit* arising to *society* from making *public examples* of the disturbers of its peace. And there being no such advantage to be expected from killing a man, *privately*, who would rob us, it is, I believe, *seldom* warrantable to fly to this extremity. I say *seldom*; for in case it be a *man's all* that the robber would take from him, and he would be ruined by the loss; I should be cautious of pronouncing him guilty of a cruel action in killing the robber. The law of *° Moses* allowed of killing a *night thief*, and the same does the *† Civil Law*; which further permits the killing a thief by *day*, who comes *armed* with a dangerous weapon; because it is plain he does it with a design to make use of it, if he finds any resistance. The reasons given for that law of *Moses* are, that it may be supposed that a thief in the *night* comes to *kill*, as well as to *steal*; at least to kill, if he cannot otherwise pass undiscovered: and that, in the *night*, a thief is not so easily *known* and *apprehended*, as one who practises his trade by day.

SECTION IX. Under the inquiry, concerning the *persons* against whom we have this *right of self-defense* there are these following questions.

I. May

° Exod. xxii. 2.

† Digest. XLVIII. viii. 9.

1. May an *innocent* person, who by being in the way hinders our defense or flight, be *killed* or *hurt* for self-preservation? If by a *small* hurt of another, who stands accidentally in my way, I can save my own life, I should not scruple to be the cause of it, and should take it for granted, that I had his consent; but if no expedient, excepting what would probably *indanger* his *life*, is to be found; I am to look upon my way as hedged up with a bound which I am forbidden to pass. ^q *Illum solum qui vim inferre ferire conceditur.* “He alone who offers “the violence, may be lawfully wounded “by us for our preservation,” says the *Civil Law*. ^r *Grotius* says, if we regard *nature alone*, the care of our own safety seems to outweigh all other considerations, but those of *charity*; which will not admit of it: though I think nothing can be more evident, than that *justice* will not allow me to save my life from the assaults of an enemy, at the *equal* expence of a third person.

2. Is it lawful to defend ourselves by killing a person of *much greater worth* than ourselves, and whose life is of *more importance* to the state? ^s *Grotius* and ^t *Puffendorf* hold the *negative*; but I cannot conceive upon what sufficient grounds: since notwithstanding

^q Digest. IX. ii. 45.

^r De Jure Belli, &c. Lib. II. Cap. iv.

^s De Jure Belli, &c. Lib. II. Cap. i. Sect. 9.

^t De Jure Naturæ & Gent. Lib. II. Cap. v. Sect. 2.

ing the superior worth of the assailant, his life when he kills me, is *ipso facto* forfeited to the law; so that if I prevent by his death the intended murder, there is only the loss of one life instead of two. The consideration of greater worth hath seldom if ever place, but in cases like that mentioned by *Cicero*, of two persons in a shipwreck getting a plank between them, which will not serve both. *Sibine uterque rapiat, an alter cedat alteri?* &c. "Shall each try to appropriate it to himself by violence, or one of them voluntarily yield it to the other? let one yield it to the other, whose life is of superior worth, or of more importance to the public."

SECTION X. 3. Supposing one under *distraction*, or in *liquor*, or *mistaking* me for another man, will kill me, if I do not kill him, what is permitted me in this case? No doubt to kill him, and with as much reason as I destroy a neighbour's beast that attacks me; which not having understanding to know any evil in what he does, cannot be guilty of any injustice in doing it.

4. Against a *Parent*, who in his passion attempts my life, what have I to do? Any thing but extinguish that life which was the fountain of my own. This would be so *unnatural*, that I think it much better to

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suffer

* De Officiis, Lib. III. Cap. xxiii.

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suffer death myself: and though the state may in me lose a good subject, yet that loss is abundantly compensated by the example of filial love which I shall leave to my fellow subjects.

5. Against my *Prince*, how far may I carry the defense of myself? If he be a known *tyrant*, more may be indulged than upon supposition of his having the character of a *just* prince, and conducting affairs with a *wise* hand. For should such a one set upon me in a passion, I ought in this case to account his life *sacred*, and the giving up my own a *glorious sacrifice* to my *King* and *Country*.

6. What may the *injurious* person do in his own defense, against one whom he hath provoked by assaulting him, or by some other injury? Supposing him to *repent* of the wrong which he hath done, that he *professes* repentance, and offers *reparation*, and all this is not accepted; he comes to be upon the same terms, and to have the same privilege of defending himself, as if he had not been first in the offence.

SECTION XI. iii. Another way of *injuring* a neighbour, is in his *esteem*, and *character*; and this *two* ways, in our *own opinion* of him, and in the opinion of others.

i. In our *own opinion* of him by *false* judgments, thinking evil of him when he does

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does not deserve it; or by *rash* judgments, which as to the injustice of them differ little from those which are false: for how true soever the judgment may be as to the *object*, yet being wrong in the *foundation*, I cannot be excused, who owe it to chance and not to evidence that I am in the right. No one ought to pass sentence upon another without a sufficient reason, and where the reason is only *probable*, he ought not to be *positive* and certain; but, on the contrary, to hope, and to be willing to believe the best. A *rash* or *false* judgment may be concerning *actions*, or *persons*. Concerning *actions* whether *good*, attributing a good action to an *ill* principle; or *bad*: and that both as to the *fact*, and the *guilt*. As to the *fact*, that a man did an action which he did not, or which we cannot say that he did. As to the *guilt*, aggravating an action which has, or possibly may have, many softening circumstances to extenuate it. Concerning *persons*, both their *state*, and their *hearts*; their *state*, that they are *bad men*, because they have done some *bad actions*; or perhaps, merely, because they have not the *same view* of things that we have: their *hearts*, that they believe not what they profess, intend not what they promise, and are otherwise minded than they declare. False and rash judgments would be very unjust, were it for no other reason, than that every man has a

right to pass uncensured in the opinion of every other man, till he hath given evident occasion for the contrary treatment. But that which renders the matter worse is, that the injustice seldom stops at a bare speculative judgment, but the judgment influences the *affections*, the *words*, and *actions*. From thinking ill of another it is to be feared we shall proceed to speak ill of him, if not to do ill to him; at least the affections will be alienated, and this will keep us from doing him those good offices, which he may expect from us.

SECTION XII. ii. In the *opinion of others* by *defamation*, or prejudicing his name and reputation. Of this injustice there are several sorts, and different ways of management.

1. *False witness*, in which it is hard to say, whether the *injustice* to our neighbour, whom we wrong in the most egregious, and complicated manner; or the *impiety* towards God, in supporting a false testimony by a solemn appeal to him, be the greatest.

2. *Contumely*, or charging a man to his face with a crime, which either we *ourselves* have *forged*, or which we *know* to have been forged by some other person. This is commonly reckoned to be a more honourable way of attacking a man, than those which are more sly and clandestine; as indeed in this respect it is, that it gives the injured party

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party an opportunity of vindicating himself. But then if the calumniator have a hard forehead to persist undaunted in the charge, and wit enough to make it look plausible, as it argues a greater impudence in this sin, so it is perhaps as successful a method to ruin a person's reputation as most. For the company observing the *confidence* of the assailant will be apt to think, it is *truth* which keeps him in heart, and gives him an air so bold and serious.

*Nam cum magna malæ supereſt audacia cauſæ
Creditor a multis fiducia.*

Juvenal. Satir. xiii.

For *confidence* in sin when mix'd with *zeal*
Seems *innocence*, and looks to most as well.
Creech.

3. *Detraction*, or backbiting, falling foul on the reputation of another in his *absence*. When this is done *openly*, it is *slander*; when carried as a *secret*, it is *whispering*. And by the way, this latter often does more mischief than the former. For when an ill report is communicated under the terms of a secret, it is thought to proceed from a tenderness for the person's reputation, and to be for that reason the more likely to be true.

4. *Reproach*, or exposing another for some *natural infelicity*, either in *body* or *mind*,

or for some *calamity* into which he is fallen, or some *miscarriage* of which he has been guilty ; and by this treatment of him bringing him into *contempt* with others. * *Generaliter vetuit Prætor, &c.* “ The Prætor’s
 “ edict in general forbids whatever tends to
 “ make another infamous. And if any one
 “ says, or does any thing with this design,
 “ the person injured shall have his action
 “ against him.”

SECTION XIII. It makes no *essential difference* in the nature of the injustice, after what *manner* the assault is made upon our neighbour’s reputation ; whether by alleging some *particular* fact, or only in general terms, as thus ; *I know very bad of him, but will be so generous as to conceal it.* These random *innuendoes* often leave a very ill impression on the minds of the hearers ; and though there may be something at the bottom, yet dispose them to suspect the matter to be much worse than it really is ; and that it is because the particulars are too bad to be told, that I forbear naming them. Whether it be *indirectly*, as *I am not this, or that*, intimating that my adversary is so ; or *directly* accusing him in so many words of something bad. In short, we are not to *raise*, or *spread* an ill report of our neighbour which is *false* in *whole*, or in *part* ; or which

we

we have not *good reason* to believe true : nor to *start* or *propagate* an *ill* report of him, though known by us to be *true*, without a *sufficient cause* for so doing. Now that is a sufficient cause, which in the judgment of *prudence* and *charity* may pass for such. As when it may be for the *glory* of *God* ; and thus it may sometimes be of use to lay open to the world the true character of one, who is a declared enemy of religion, and a spreader of atheistical principles. When the consideration of the *public welfare* demands it of us in the way of information or testimony. *Est interdum pro injuriante presumptio, quod scilicet non habuerit animum injuriandi, nempe si objecit tale delictum quod reipublicæ interfuit scire.* “ The person “ who attacks another’s character, may some- “ times have this justification, that he act- “ ed with no injurious design ; but that the “ discovery of the crime was of importance “ to the commonwealth :” says the *Civil Law*. When it is done by way of *preven- tion*, that a man may not be capable of do- ing mischief to such as would be too easily practised on by him, if they were ignorant of his character. When it is necessary to *clear my own innocence*, or the innocence of a *friend*, or the reputation of a *better man*, or of some *others*, who are more in number than those of whom we speak disgraceful truths.

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^y *Corvin.* in Digest. p. 547.

truths. Or lastly, when it may be a *kindness* to the *person himself*. Thus it is allowable not only to ^z*tell a man his faults between him and me*, but to imploy *another* to do it, if he hath more power and authority with him, and by a friendly reproof, may be a means of his amendment.

SECTION XIV. Again, when there is a *sufficient cause*; *malice, envy, passion*, or any other sinister aim, or principle, ought not to mingle with it. As a witty ^a*Author* has observed in another case; “there is a great
“deal of difference between a *good* reason,
“and the *true* one. There may be a very
“good reason why a malefactor should die;
“but the *true* reason of the judge’s passing
“sentence upon him, and the hangman’s
“executing it, may not be so much the
“satisfaction of public justice, as the gratifying a secret grudge; and where it is
“so they are guilty of murder.” And therefore the ^b*Civil Law* determines as to a person’s objecting a crime to another, which it is for the interest of the common-wealth to have made public; *Si probari queat, objecisse illum tale crimen injuriandi animo; neque criminis enormitas, neque veritas eum excusabit.* “If it can be proved, that the
“accuser

^z Matth. xviii. 15.

^a Sir Roger L’Estrange.

^b *Corvinus*, ut supra.

“ accuser divulged the crime with an injurious design ; neither the enormity of the crime, nor the truth of the charge shall excuse him.” To conclude ; when nothing is to be said against the *action* itself, we ought not to misconstrue it as to the *intention*, or *motives* of it, endeavouring to make others believe it was done out of interest, vain-glory, or any other sordid and unjustifiable end.

SECTION XV. There are several considerations which shew the *injustice* of lessening another's good name. Such as the *value* of it, there being few who do not prefer it to money, and some who had rather part with life. The *resentment* which the injurious person has of such treatment, when it comes to his own turn to suffer it. The *consequence* of a man's losing his good name, which is no other than his being cut off from the love, and friendship of his acquaintance, and incapacitated for transacting his affairs with comfort and success. And finally, the *difficulty* of making reparation. Restitution here is not so easy as in other cases ; for not to take notice, that people are usually very unwilling to give up an ill opinion, of which they have been some time possessed ; supposing they were never so ready to do this, and the guilty person to make an acknowledgment of his fault, yet it cannot be

be hoped that the recantation will reach so far as the first report. Nay, there are these *two* considerations which should restrain us from speaking even the *truth* of our neighbour, when it is to his *disadvantage*.

1. That possibly he may live to *see* his *folly*, and *repent* and *grow better*, for which reason we ought not to blacken his reputation; because it will be so hard a matter for him to get out the stain, even though he should come to deserve a better character. Now the retaining an ill opinion concerning one formerly of an irregular behaviour, but since reformed, is manifestly unjust; and consequently the injustice in a remote sense chargeable upon us, who without necessity published his faults.

2. Admitting that we only speak truth, yet it is a thousand to one, but when it has been handed about for some time, it will contract a great deal of dirty falsehood. "Every one (as an excellent ^c Writer expresses it) will be ready of his great bounty to add something to the story;" so that at long run, the fault, which in its original was, perhaps, excusable, shall grow monstrously big and frightful. Now, for certain, thus to magnify a fault is great injustice; and seeing this is the usual way of the world, and we know it to be so, we are in some degree guilty of the injustice; because

^c *Tillotson's Works*, Vol. I. Sermon. xlii.

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because had we not raised an ill report, though true, others had not enlarged and built falsehoods upon it: this considered, we should abhor the vile practice of defaming others, and even abstain from the approaches to it: which are several. When we *give ear* to those who deal in slanders. The countenance and reception they meet with, encourage them to proceed—When we *easily credit* an ill report of another—or are *secretly pleased* when the reports gets ground—It is a wicked and criminal delight which some take, in seeing a neighbour's reputation run down and torn in pieces. I have not mentioned any thing of *defamatory writings*, because what has been said of *evil-speaking*, holds much more against these; as the injury here is both more *diffusive* and more *lasting*.

^dThe *Civil Law* therefore declares, that whosoever composes, or publishes any writings, intended to hurt another's fame, *famosos libellos*; if he be found guilty, *intestabilis ex lege esse jubetur*, "he shall not be permitted to give evidence in any affair:" nay says the ^e*Code*, *capitali sententiæ subjugandus est*, "shall be liable to capital punishment."

SECTION XVI. iv. We may *injure* a person in his *relations*, and *dependencies*; particularly in his *servants*, by corrupting them, or making

^d Digest. XLVII. x. 5, 9.

^e Code IX. xxxvi.

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making them neglect or quit his service—
in his *children*, by drawing them into ill
courses, or ingaging them in promises or
contracts without the consent of their pa-
rents—in his *wife*, by sowing strife between
them, or by using inticing methods to alien-
ate her affections, though it be not with a
design to be lewd with her, but only out of
vanity to try what conquests we can make
upon the sex. This is bad enough; but it
is still worse, when a woman is tempted to
be false to her husband's bed. And the sin
is much the same when the *man* goes astray,
the *wife* having the *same right* in her hus-
band, as he in her. The difficulty (if there
be any) turns upon a supposition, that the
husband, or the *wife*, transgress by *consent*.
This case contains a double question.

Question i. Whether this *consent* being *sup-
posed*, there be the sin of *adultery*? To this,
without any demur, I shall answer, that there
is. *Adultery* is nothing else but an *unlawful
commerce* of a man and woman, with this
circumstance, that *one* of them at least is in
a *marriage* state. The ^f *Civil Law* indeed
restrains the guilt of *adultery* to the *wife*,
not reckoning a married man to be guilty of
it, in his familiarity with a single woman.
But neither the *Canon Law*, nor the *Law of
God*, make any such difference: it is enough
that one of the offending parties is in a mar-
riage

^f Digest. XLVII. v. Vide *Corvin.* in locum.

riage state. To argue then upon this definition of *adultery*, that it is a transgression of the rights of marriage, the *wife's* having the consent of the *husband*, or the *husband* of the *wife*, does not change the crime, and make it not to be adultery; for to do this, the marriage relation must first be *suspended*; and with the same reason as a married couple might *suspend*, they might by mutual agreement *dissolve* the marriage covenant: which neither the *Law of Nature*, nor *positive law*, will allow them to do. It was therefore ridiculous for the *Lacedemonians* to boast of the excellent provision they had made against the sin of adultery; as if every man's readiness to lend his wife was an infallible way of preventing it.

SECTION XVII. Question ii. Whether there be any *wrong* done to the *person consenting*? This is in a great measure determined by the resolution of the former. For what is injustice, but breaking in upon another's right? Now if married persons cannot transfer their right in each other, then for a third person to know either of them, though with the other's consent, is to trespass on the right of that other; and must consequently be pronounced unjust. If married persons might give away their right in *each other*, I do not see but persons might as well give
away

* See *Plutarch's Life of Lycurgus*.

away the right they have in their *own bodies*; and then in fornication, or adultery, there would be no manner of injury done to the parties immediately concerned. And the truth of this notion being granted, I fancy it would be hard to prove from the light of nature, that there was any thing sinful in such actions. For if I may part with the right which I have in my body, I do not apprehend, why, for the same reason, I may not trust another with that right; and having a right, he may certainly make use of it without sin. I shall only say further, that ^h *Augustin* shewed his reasoning was not always infallible, when he defended *Abraham's* lying with *Hagar*, from his doing it at the *desire* of *Sarah*; which he thinks was sufficient to justify him: grounding his opinion on a mistaken passage of *St. Paul*, 1 *Cor.* vii. 4.

SECTION XVIII. v. We may be guilty of *injuring* another in his *worldly goods*, or *possessions*; and this two ways.

1. By doing him a mischief without any advantage accruing thence to ourselves. The ground of this injustice is *envy*, and *malice*; so that besides the sin of *injustice*, there is added, by way of overplus, a *vengeful* design; which is directly contrary to the obligations of *charity*, as well as to the Spirit

h De Civitate Dei. Lib. XVI. Cap. xlv.

rit of the *Gospel*. *Self-love* might seem a little to excuse an ill action done out of *necessity*; but to commit an injury, *merely* for the pleasure we take in seeing another suffer, is the character of the most degenerate of all beings. I might throw in this further consideration to heighten the guilt of this sin, that by spoiling the goods of another they are of use to no body, which carries in it both a *contempt* of *providence*, whose *bounties* they are, and an *injury* to the *commonwealth*.

2. By *unjustly taking* what is another's, which I call *theft*. As to the nature and guilt of which it makes but little difference, whether we take what is *actually another's*, or wickedly *intercept* what would have otherwise come to him; as by *forging*, or *altering* of *wills*, or obtaining them by *unfair* methods. Concerning the latter of these ⁱ *Cicero* says with a good deal of reason, *Mibi quidem etiam veræ hæreditates, &c.* "For my part, I think, that inheritances
" which descend to persons according to
" law cannot be honestly possessed, if they
" were procured by flattery and artifice;
" and not the reward of a sincere affection."
And a little after he adds those generous words, " If a good man were possessed of a
" power, by snapping his fingers to insert
" his name in the wills of the rich without
" their

i De Officiis, Lib. III. Cap. xviii, xix.

“ their knowledge, yet he would never use
 “ it, even though he were certain, the
 “ fraud would never be suspected.” It
 makes no difference neither as to the in-
 justice, whether the wrong be done by *force*,
 which is called *rapine*; or by *fraud*, which
 the *Civil Law* makes essential to the notion
 of *theft*; or by making the *law* itself an in-
 strument of *oppression*; a thing often practi-
 sed by great men, who either by interest, or
 by money, make these below them quit
 the prosecution of their right. Or finally,
 whether *immediately*, or by *others* whom we
 employ; or in the fruits of whose wicked-
 nels we knowingly partake. * *Lucii Minucii*
Basilii, &c. “ Some persons brought a
 “ forged will of a rich man, *L. Minucius*
 “ *Basilus* from *Greece* to *Rome*; and that
 “ they might the more easily get the will
 “ admitted, had named in it, as joint exe-
 “ cutors with themselves, *M. Crassus*, and
 “ *Q. Hortensius*; two of the most powerful
 “ men in the commonwealth. They,
 “ though they suspected the will to be a for-
 “ gery, yet having had no share in forging
 “ it, did not refuse to share the profits of
 “ others knavery. But was this enough to
 “ clear their character? I think not. They
 “ should have been thoroughly honest, and
 “ not content with saving appearances.”

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* *Cicero. Ibid. Cap. xviii.*

SECTION XIX. In a word, it is *unjust* to take what is *another's without his consent*, either *given*, or *presumed* as among friends, unless in these two cases.

1. That it be done *pro tempore*, for a time only, and in *kindness* to the person from whom we take it. So we take a *sword* from an *angry* man, and *money* from a *drunkard*. Or,

2. By one who has *necessity* to plead. What *Seneca* says in another case may be applied here, *Magna est vis necessitatis, quæ quicquid cogit excusat*. "Great is the authority of *necessity*, which *excuses* whatever it *compels* men to do." But then the necessity must be *real*, not pretended; and the necessitous person must *first* try all other methods. He must take from one who has not himself *equal* need of it, and with a full intention to make *restitution* when it shall be in his power. That the taking away what is another's, with these proviso's, is not theft, or an injurious deprivation, seems highly probable, because no one has an *absolute* property in the things of life, exclusive of the *superior* right of the *Creator*, or the *common* right of his fellow creatures in cases of necessity. No one will deny, that God has a power to take from one man and give to another; and being the Father of all mankind, and making the earth to yield

“ their knowledge, yet he would never use
 “ it, even though he were certain, the
 “ fraud would never be suspected.” It
 makes no difference neither as to the injus-
 tice, whether the wrong be done by *force*,
 which is called *rapine*; or by *fraud*, which
 the *Civil Law* makes essential to the notion
 of *theft*; or by making the *law* itself an in-
 strument of *oppression*; a thing often practi-
 sed by great men, who either by interest, or
 by money, make these below them quit
 the prosecution of their right. Or finally,
 whether *immediately*, or by *others* whom we
 imploy; or in the fruits of whose wicked-
 nefs we knowingly partake. * *Lucii Minucii*
Basilii, &c. “ Some persons brought a
 “ forged will of a rich man, *L. Minucius*
 “ *Basilius* from *Greece* to *Rome*; and that
 “ they might the more easily get the will
 “ admitted, had named in it, as joint exe-
 “ cutors with themselves, *M. Crassus*, and
 “ *Q. Hortensius*; two of the most powerful
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sufficient for all its inhabitants; when by his Providence he hath brought any of them into such straits, that they have nothing of their own whereon to subsist, it may be presumed a warrant to take what others will not give. He who conferred life, with that conferred a right to such things as are necessary to preserve life; not indeed an immediate right, but suspended on the condition of our first using all other methods, before we come to this last resort. That which is superfluous to one man, and necessary to another, the author of nature, who would have all his children provided for, obliges the former to give to the latter; or, upon his refusal to give, authorizes the other to take. What is the right which an *infant* deserted of its parents, has to public maintenance? Much the same has one in necessity. ¹ *Cicero* to the same question, *Nonne igitur sapiens, &c.* “Would not a
 “man of wisdom and virtue, when in danger of starving, by force snatch food from a
 “worthless fellow?” answers, by *no means*. But then it is fair that he should be allowed to explain his own meaning, as he afterwards does. “If you take any thing from
 “another, though he be the most insignificant fellow in the world, *utilitatis tue*
 “*causa*, for the sake of your *own* advancement, you act against the Law of Nature.
 “But

¹ De Officiis, Lib. III. Cap. vi.

“ But then if you are a person whom the
 “ commonwealth can ill spare, and upon
 “ *that consideration, ob eam causam*, you
 “ make bold with what is another’s to sup-
 “ ply your necessities, there is no harm
 “ done : the law of nature having ordained,
 “ that what was necessary to support life,
 “ should be transferred to a wise, and brave,
 “ and good man, though before in the pos-
 “ session of a worthless one.” After which
 he adds this caution, “ that you do not
 “ esteem better of yourself than you ought,
 “ that you may have a pretense to be inju-
 “ rious.” So that according to *Cicero*, the
 lawfulness of supporting life with what is
 another’s, does not arise merely from the
necessity under which a person labours, but
 from his being a *better* man, and more pub-
 licly useful, than he from whom he takes
 it; and even then he must consult his own
 preservation, purely out of a generous re-
 gard to the public. But I think the foun-
 dation before laid down, as it is more ge-
 neral, so it is much more natural and cer-
 tain.

SECTION XX. Before I dismiss this parti-
 cular, I would take notice of an *opinion* which
 is utterly *destructive* of justice, and it is this ;
 that ^m *Dominion is founded in grace ; that is,*
 U 2 the

^m See *Barbeyrac’s* Preface to *Puffendorf’s* Law of Nature,
 &c. pag. 29. where he cites *August. Epistol. cliii. Tom. II.*

the dominion which *kings* have over their *subjects*; and *private* men over their *estates*, they hold by *faith* in *Christ*. *Augustin* is charged with maintaining the same principles, how truly I know not, since it is not to be found in the place referred to. He must be blind, who does not see that this assertion overturns all government, and society; for how easy is it for a man to entertain a favourable opinion of himself, that he may have a claim to the goods of his *unregenerate*, or *ungodly* neighbour? Though, on the other hand, it is as hard to say, that this *unregenerate* man is not in the number of the *elect*, to whom consequently we shall be obliged to *refund* what we have taken from him, as soon as he shall appear to be of this number. So that if the matter were to turn upon *election*, and men would not proceed to strip one another of their possessions, till it was *demonstratively plain*, that this man was elected, the other not; the world would be pretty secure, and quiet, notwithstanding this notion. But to argue *directly*, and not from consequences. He who was the great author of my life, and who hath given me a power of propagating life to others, has thereby made it my duty, to the best of my ability, to provide for the sustentation and comfort both of my own life, and the children which God hath given, or may hereafter give me. Whatever there-
fore

fore I acquire by honest methods, nature and providence, give me a right to possess, till it is forfeited by the laws of society. Besides, that as long as I keep to the terms upon which I am a member of any society, I have from that society a promise of security, and protection in all my legal rights. Whoever, therefore, belonging to the society shall fraudulently or violently take away what is mine, *breaks the promise* which *he* hath made me; I say, which *he* hath made me; because the promise of a society is constructively the promise of *every* member.

Consult on this Chapter.

Grotii de Jure Belli & Pacis, Lib. II.

Cap. i.

Puffendorf. de Jure Naturæ & Gent.

Lib. II. Cap. v.

Whitbii Ethic. Lib. II. Cap. v. Sect. 3—6.

Tillotson's Works, Vol. I. Serm. xlii.

Clagett's Sermons, Vol. II. Serm. viii.

Blackball's Serm. Vol. I. Serm. xxxvi.

Moss's Sermons, Vol. VII. Serm. vii.

Baxter's Christian Directory, Part. IV.

Chap. xviii.

Scott's Christian Life, Part III. Vol. IV.

Chap. i, ii, iii.

Collier's Essays, Part III. Essay ii.

Turnbull's Heineccius, Lib. I. Cap. vii.

Sect. 180.

Locke's first Letter on Toleration,

Spectator, No. 348, 451.

Guardian, No. 17, 123.

CHAP-



CHAPTER IX.

Of Positive Justice; and of Dominion, with the Distinctions of it, and the Methods of acquiring it.

SECTION I. *Positive Justice*, the other member of the general Division, is *rendering to all their dues*. A thing may be due by a *natural*, or an *acquired right*. *Natural rights* are such as *nature immediately confers*; among these are the rights we have to *truth, faithfulness*, and to the *duties* claimable by *natural relations* from one another. *Acquired rights* are such as owe their being to the *intervention of human acts*; such are those which spring from *civil, religious, or political relations*; or from a *lawful dominion* over any worldly good thing. The *duties* which we call *relative* are to be treated of in another place. By virtue of *positive justice*, we are obliged to render back a *depositum*; or being made *judges* in a controversy of *right* to *award* the whole, or the several shares of a thing to the person, or persons, unto whom we are persuaded they belong.

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belong. But these things are too plain to need insisting on. I shall therefore confine myself to the consideration of the following, *commutative justice* strictly so called, truth, fidelity, and restitution; after which *distributive justice* will require a brief consideration.

SECTION II. The *objects* of *commutative justice* being the *things* of *this world*, this virtue evidently presupposes *dominion*; of the *distinctions* of which, and the *ways* of *acquiring* it, it will be useful to discourse somewhat largely. *Dominion* is a *right* to *possess* or *enjoy* some certain things. I do not make *dominion* and *property* to be *equivalent* terms, as they are usually taken. All *property* implies *dominion*, but there may be *dominion* without *property*. *Dominion* is a *right* in *things* *irrespective* of more than the person who injoys it; *property* is the same *right* considered as vested in some *exclusive* of others. *Dominion* is either *universal*, or *proper*. *Dominion* may be said to be *universal* as to its *object*, and as to its *subject*. As to its *object*, it signifies that *dominion* which God has given to man over *all the things* of *this world*, as well *animate* as *inanimate*; the *beasts* of the field, as the *fruits* of the earth. That this *dominion* of man over *inferior* creatures extends to the *taking away their lives*, abstracting from *Revelation*, which furnishes us with a *full grant* to

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this purpose, is perhaps a thing not so easily proved. The reason upon which ^a *Puffendorf* and others, after ^b *Cicero*, chiefly rely, seems to me good for little. *Homini nihil juris esse cum bestiis.* “That there is no
 “law or obligation *common* to man and
 “beasts.” For if the meaning be, that there is no law to which beasts are subject together with mankind, and which is to regulate the behaviour of each towards the other, I grant it; but deny the consequence, that therefore man is *absolute Lord* of the brute creation, and may at pleasure deprive his slaves of their beings. For though the beasts acknowledge no law, it does not therefore follow, that man and they are in a *state of war*; since many species of them, and those which we oftenest kill, are altogether *inoffensive*, and so need no law to restrain them from being mischievous to man; who seems therefore forbidden by the law of reason to begin an *invasive war*, in which he has neither *provocation*, nor *resistance*. Nor is it just arguing, that beasts being under no obligation to man, man cannot be under any to them. For if nature has provided for the safety of mankind by making beasts of a *gentle harmless disposition*, it is as well as if they were *under obligations* to justice, and observed them with the greatest exact-

^a *De Jure Naturæ & Gentium*, Lib. IV. Cap. iii.

^b *De Finibus*, Lib. III. Cap. xx.

exactness. And therefore what *natural inclination* is to them to keep them from hurting man, *reason* should be to man to dissuade him from destroying his fellow animals, who would live quietly by him. Upon this account, I cannot think this alone a sufficient warrant to use the beasts at discretion. That which I apprehend to be a clearer intimation of the will of the Creator in this matter is, that it is well known to be the design of nature, that some animals should prey upon others, by those instincts which carry many of them to support their lives this way. If there are some creatures who are *naturally carnivorous*, does it not follow, that *others* were intended for food to them? And if they are *designed* for food to other animals, much more to *man*, the noblest animal of the creation; and who has appetites given him *agreeable* to such a kind of food—Further, notwithstanding the vast destruction that is continually made among beasts, and fish, and fowls, the world is still *sufficiently stocked*, and nature has taken care they should multiply as fast as mankind has occasion for them; while all the tamer animals being provided for by man, *greater numbers* of them *live*, and live *more happily*, than they could do if left to shift for themselves. These considerations, with their *wanting* the gift of *reason*, make it highly probable they were designed for human use.

SECTION III. As to the *subject*, *universal dominion* is a dominion *common* to all mankind. ^c *Sunt autem privata nulla naturâ.* “Nature has not settled the share of particular persons.” And here this question has been sometimes disputed, whether, when God gave the earth to the children of men, it was *all* settled upon *Adam* as his peculiar property or estate, to be by him afterwards divided amongst his children as he should think fit? Or was given to *mankind in general* as they should successively come into the world, till the whole was peopled and possessed? The account of the division of the world given us in the ^d *Chronicon* of *Eusebius*, is founded upon the supposition, that *Noah* some time before his death, sat down, by *divine* appointment, and *parted* the world among his *three* children, ordering what regions the descendants of each of them should inhabit; but this being a mere fiction, no great regard can be had to it: and the latter of the two *hypotheses* appears to me the more rational. For the earth being of such extent, and consisting of so many regions, as *Adam* had the *privilege* of the *first choice*, so it was but fit, that his *descendants* as they came to years of reason should *please themselves*, in chusing their respective portions, and places
of

^c *Cicero*. De Officiis, Lib. I. Cap. vii.

^d See *Shuckford's* Connect. Vol. I. pag. 177.

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of abode. His assigning these to them would have been both needless and troublesome. Hereupon another question arises, whether men, for any time, contented themselves with this general dominion, solicitous for no other property than in the fruits which they had gathered, or the beasts they had caught; which by these very actions they made their own? If we follow the *Poets* in their fanciful descriptions of the *Golden Age*, this was the manner of living of the first uncorrupted race of mortals; but as for any such age it may be very well called *fabulous*. * *Grotius* indeed says, that the continuance of such a state of things had not been impossible, if there had been a *great simplicity* among men, and perfect *charity*. He should have said a *prodigious* simplicity; that is, that men lived upon the *spontaneous* productions of the ground, and exercised no *arts* of life. For if you suppose them to employ their *labour* in plowing and manuring the ground, or their *skill* in other arts and professions; you must likewise suppose them to have distinct properties, or unaccountable jealousies, and confusions would ensue. Since, as † *Aristotle* has observed, “ if there be not the *exactest* quality of labour and profit, one will be thought to have too much to his share, and another

“ too

* De Jure Belli & Pacis, Lib. II. Cap. ii. Sect. 2.

† Politic. Lib. II. Cap. iii.

“ *too little.*” And then there is something in *property* which whets the industry of men; and it is with an incredible pleasure they enjoy things which they can call their own. So that there can be no doubt but property is *as old* as society; which makes way for another question.

SECTION IV. How *property* was at first *fixed*, was it by *agreement*, or by *occupancy*? In this question I shall consider both the *right*, and the *fact*.

i. Since the earth was given in *common* to mankind, had *one* man a right to *appropriate* any *part* of it, without the *consent* of the rest? I answer, *yes*; because though the things of the world were *res omnium*, every *one's*, in one sense; in another, they were *res nullius*, *no one's* property, till *occupancy* made them so. They belonged to *all*, as every *man* had a *right* to possess his portion; they belonged to *no one*, unless any body had made them his by entering upon the possession of them. It was not here as in the case of a *Common*, in which no *inclosure* can be made, without the consent of *all* the proprietors; for as to this latter there is a *joint occupancy*: whereas, in the former, it is supposed, that no man has yet possessed, and consequently every one has a right to do it; and he who is *first* hereby makes it his *peculiar*. The fittest parallel therefore is, of those

those parts of the world which are yet uninhabited ; for as they are open to the first comers, so was all the world in the beginning.

ii. The matter of *fact* seems to stand thus. When men were yet *few* in number, and lived in the same neighbourhood, it looks most probable, that every one took a spot of ground to cultivate and improve, as his *fancy*, or convenience led him : and in case *two* or more pitched upon the *same* place, to prevent contention, they decided the matter by *lot*, or by agreeing it amongst themselves. When their *multitudes* obliged them to *disperse* in several bodies over the earth, each of these colonies and divisions was at liberty to fix their habitation and form of government, as best suited their inclinations : after which they *divided* the tract of land which was their common property into several parcels, according to the *number* and *largeness* of *families*, the *dignity* of persons, and the like. And what after the dividend remained *unallotted* to any one, was *res populi*, the right of the *public*. Though I will not say that this is an *exact* account of the *manner* of introducing distinct properties into the world, yet from what may be judged from the *traces* of this matter in history, it seems to have been generally done in some way, as to the main, agreeing with this. Amidst the *separate properties* of men
this

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this *universal dominion* still subsists in some things, which are of such a nature, that they cannot be appropriated; as the *air*, the *light*, the *running water*, the *sea*, and the *sea shore*. These the ^e *Civil Laws* calls *communia omnium*, things common to all. By the *sea* must be understood the *main ocean*, or otherwise what is there said is not true; since those parts of the sea which are inclosed by, or bordering upon the dominions of a particular Prince, or State, may be subject within certain limitations to that particular Prince, or State. As to the *light*, the *air*, the *water*, my right to them does not intitle me to trespass upon the ground of my neighbour to enjoy them.

SECTION V. *Proper dominion*, or more plainly *property*, is either *joint*, or *single*. When I speak of *joint property*, I do not intend such things as the ^h *Civil Law* calls *publica*, such as the *highways*, *ports*, *rivers*, and the like; for though the *use* of these things is *common*, yet the *property* of them, as the author of the *New Institutes* well observes, is, by the *Law of England*, vested in the *King*, or in those who claim under him; in other nations, is in those who have the *supreme power*. But the things which I mean are among others, such as the *Civil Law*
terms

^e Institut. II. i. 1.

^h Institut. ubi supra.

terms *res universitatis*, things belonging to some *body* or *community* of men, who are reckoned as a compound person; as a *town*, a *parish*, a *college*, or the like. In all these things, whether *res communes publicæ*, or *universitatis*, ⁱ *Cicero's* rule must take place, *justitiæ primum manus est*, &c. "The first part of justice is not to hurt any one; next to make use of things in common, as common; while we use what is our peculiar property, as our own." In things of common right, let not a man arrogate to himself any special privilege or licence; but as to private things, which is what I mean by *single property*, he has a greater liberty; yet still such a liberty as is bounded by *reason*, and the laws of his country. Again dominion is either *intire* or *divided*. *Plenum dominium*, or *intire* dominion is, where both the *property*, and the *use* are in the same person. *Divided* dominion, or *dominium minus plenum*, is either *direct*, or *profitable*; the first is his, who has the *property*, but not the *profit*; the latter his, who has the *profit* without the *property*; by the *Civil Law*, called *usufruct*.

SECTION VI. The ways of acquiring property are chiefly these. First, *Occupancy*, *Veteri occupatione, ut qui quondam in vacua*

ⁱ De Officiis, Lib. I. Cap. vii.

^k *Cicero*. ut supra. & Digest. XLI. i. 3.

cua venerunt. “Such was their’s who formerly came into countries uninhabited.”

Of this kind several instances may be given; as the right which the first possessor has to *unpeopled* countries, of which before. *Derelicts*, or things *wilfully abandoned* by the former owner. I say *wilfully*, because if it was done out of *necessity*, or *forgetfulness*, they are not to be esteemed of this number.

To *wild* creatures, which have no master, and which a man is not forbidden by the law to catch or kill; and finally, to things *found*, after due inquiry has been made for the loser, unless where the law or custom gives it to the King, or some other person.

For I cannot imagine, that the finder is under any proper obligation to give it to the *poor*, as some have determined in the case; since, if he be a poor man who finds it, he may well be allowed to consider himself before others, and to keep what Providence has thrown into his hands. If he be a person of some wealth, it is not unreasonable he should retain it, to make amends for the *hazard* which he runs of losing something of his own as valuable. Cicero goes on, *aut victoria, ut qui bello potiti sunt, &c.* “Or by *victory*, when we acquire any thing in *war*, or by law or compact, or upon performing certain *conditions*, or by *lot*; all which making things which were by nature common, the property of particular

“per-

“ persons, let each retain what thus falls
 “ to him.” Things seized in *war* are by
 the ¹ *Civil Law* reckoned to the head of *oc-*
cupancy, or originary title; but according to
 Monsieur ^m *Titius*, to speak strictly, here is
 no true acquisition at all; since the taking
 away any thing from an enemy by violence
 has *no effect* in *right*, but only in *fact*; and
 following *treaties* must determine the ac-
 quisition.

SECTION VII. The rest are comprehend-
 ed under the name of *derivative* titles; I
 shall only take notice of *prescription*, or *suc-*
cession by testament, or to one who dies *intest-*
tate. ⁿ *Prescription, or usucapion, est adjectio*
dominii per continuationem possessionis temporis
lege definiti; “ is an acquisition of property
 “ by the continuance of possession, for a time
 “ fixed by the law.” This *time of prescrib-*
ing is in some countries, and cases, *more*; in o-
 thers, *less*. That prescription with the proper
 conditions annexed to it, as that it is *bona*
fide by *gift* or *purchase*, from one whom
 we *verily believe* to be the proprietor, and
without any *claim* in the mean time from
 the true *owner*; that with these, and the
 other requisite conditions, prescription gives
 a right, is a known matter of *fact*: and
 that the law of prescription is in general

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founded

¹ Institut. II. i. 17.

^m Observat. in Puffendorf. cccx.

ⁿ Digest. XLI. iii. 3.

founded upon *reason*, is likewise certain ; since the public peace makes it necessary.
 ° *Usucapio constituta est, ut aliquis litium finis esset* ; “ Prescription was established, that “ law suits might not be endless.” But that it always gives a right in *conscience*, may very well be doubted. If the thing was *lawfully prescribed*, and was either *bought* by myself, or by *one* who would have *given me* the money, if he had not laid it out in the purchase ; I think it passes into my proper right. But if the case be such, that neither my money, nor money that would have been mine, paid for the thing ; and it appears, that the reason why the true proprietor did not challenge his right, was either *ignorance*, or *want* of opportunity ; it is my opinion that the thing ought in conscience to be restored to him.

SECTION VIII. As to *succession* by *testament*, it is a dictate of reason, that every man have the disposing by his last will of what he dies possessed of, provided in doing it he transgresses not the rules of *natural equity* ; as by causelessly passing over those to whom nature itself seems to give the succession. For though the testament is not of force till after the death of the testator ; that is, till the time when he must have lost his right in all the things of this world ; yet, for as much

• *Cicero. De Officiis, Lib. II. Cap. xxiii.*

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much as he had a right in them, at the time of bequeathing them, it is fit his disposal of them should take place, when he can no more enjoy them himself. And there is much the same reason for *succession* to an *intestate*; since, though there be no *express will* of the deceased, the *law presumes* it to have been his will, that they should succeed to his rights, for whom he had, or ought to have had, the greatest kindness. *Accession* is a manner of acquiring *common* to both the former; whereby *one thing* being *ours*, whether originally, or derivatively, *another* becomes *ours* as *accessary* to it. For the several ways of which I refer you to the *Civil Law*.

After all, I am sensible this discourse about *dominion* might have been introduced under *negative* justice, as that forbids our injuring another in his worldly goods; which is equally founded in dominion, with that branch of justice, which I am now explaining: but as I thought this to be the fittest place of the two, I have accordingly made choice of it.

Read on this Chapter.

Cicero. De Officiis, Lib. II. Cap. xxiii.
Grotii De Jure Belli & Pacis, Lib. II.
Cap. ii—vii.

X 2

Puffendorf.

Puffendorf. De Jure Naturæ & Gentium,
Lib. IV. Cap. iii—vii.

— *De officio Hom. & Civis, Lib. II.*
Cap. ix. edit. *Carmichael.* 1724.

Cumberland De Legibus Naturæ, Cap. vii.

Sharp's Sermons, Vol. II. Serm. ii.

Hooker's Ecclesiastical Polity.

Fleetwood's Serm. on Tit. iii. 1.

Hoadley's Measures of Submission.

— *Considerations, and Reply to Bishop*
Blackball, Tract vi, vii.

— *Original and Institution of Civil*
Government.

Jackson's Grounds of civil and ecclesiasti-
cal Government.

Collier's Essays, Part III. Essay iv. Part
IV. Essay ii, vii.

Reynolds's Letter to a Deist about the
Right to animal Food.

Tyrrell's Disquisition of the Law of Na-
ture, Chap. IV. Sect. vi—ix.

Locke of Government, Part I. Chap. iv.
Part II. Chap. v.

Wood's New Institutes of Imperial and
Civil Law.

Turnbull's Heineccius, Book I. Ch. ix. xiii.

Montesquieu's Spirit of Laws, Book III,
V.

Earl Stanhope's and Earl of Orford's
Speeches at the trial of Dr. Sacheverel.



CHAPTER X.

Of Commutative Justice, and of Usury.

SECTION I. **T**O return now from this digression, *commutative justice* is that virtue which *secures to every man his due* in the *traffick and commerce* of the world; comprehending whatsoever is capable of having a *price or value* set upon it; as *food, raiment, money, labour, instruction, advice*, and the like. For when any of these are *exchanged* for another, there is a *price* put upon them, and by preserving an *equality* in this, is this virtue of justice maintained. *Commutative justice* supposes an *equality of persons*: a man's *poverty*, or *riches* alter nothing in the case. If a man buy, though he abound in wealth, he ought not to be used unconscionably; and, since his riches are his own, should not be made to pay for them in his dealings with us. Neither can he complain of injustice, though a poor man, when the usual price of things is insisted on. Indeed where a man's necessities

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pressing, and his poverty such, that he can not rise to what is demanded, we may be bound if able to abate of the price; not by any obligations of *justice*, but *charity*. Is he who sells a *rich* man? He is not therefore obliged to part with his goods at a *lower* rate than others. Is he a *poor* man? There is no reason why he should in his demands exceed the current value; unless it be supposed, he *acquaints* the buyer with his circumstances, and the buyer on that consideration is *willing* to give him dearer. And as justice supposes an *equality* of *persons*, so it consists in an *equality* of *things* as to their price and value.

SECTION II. The *measure* by which we rate the value of things, is either *natural*, or *accidental*. The *natural* is the *fitness* of things to serve the *proper inartificial* needs of human life: this may be called their *intrinsic* value. The *accidental* measure is some consideration *not natural* to the thing, whereby we estimate its value. It is called *accidental*, because it depends upon *opinion*, *authority*, *scarcity*, and the like. The price of things is chiefly regulated by this last measure. Things the *most* indispensably necessary are not properly of any price, if they be in such *plenty* as to serve for all mankind. For this reason *water* ordinarily bears no price: I say *ordinarily*, for I suppose a man placed

placed in such circumstances, as that he cannot purchase a draught of water but at an excessive price ; by this accident it becomes precious. Again, price is either *vulgar*, or *eminent*. *Vulgar* is what ^a *Aristotle* calls *η χρεια*, the *use* of things, either natural, or accidental. The *eminent* price is *money*, which virtually contains in it all other things ; *υπαλλαγμα της χρειας καλα συνθηκην*, “ the substitute of use by common agreement.” Hence he observes it has its name *Νομισμα* ; because its value is not *φυσει*, *αλλα νομω* ; not from *nature*, but *law*. And by this common standard, as he farther observes, is the value of all other things measured, and reduced to an equality. Thus where two things are to be valued, the previous question is, how much money is each worth ? For by this is known what proportion they bear to each other in worth. Of the use of money, and how introduced, besides *Aristotle* where cited, you may consult *Puffendorf* De Pretio, Lib. V. the Digests, *Locke* of Government, and others.

SECTION III. The *genuine rule* of commutative justice, as I hinted before, is to *observe an equality*. I do not mean an equality *per se*, and in *itself exact*, (for it is seldom that can be ascertained) but according to a *fair*, and *equitable* estimate. For it

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must

Ethic. ad Nicom. Lib. V. Cap. v.

must be considered, that commerce was intended as much for the benefit of one as another; that there is a *tacit* agreement, as often as men negotiate with one another, that they will be *sincere* and open in their dealings; and that it is a rule of eternal equity, that a man do so to *others*, and nothing else, than what he thinks they may *reasonably* do to *him*. I am not surprized to hear *Hobbes* talk after another ^b rate; *Sires nostras vendamus quanti possumus, injuria nulla est emptori, qui id voluit & petiit*. "If we sell our goods as dear as we can, no injury is done to the buyer, who chose and desired to have them at this price:" But I must confess, that ^c *Puffendorf's* saying, "That every man in a state of natural liberty is permitted to put what price he pleases on the things which belong to him," was the occasion of a little wonder. For surely there is a *natural equity*, as well as a *natural liberty*; and as to the above mentioned *maxim*, it makes not the least difference in what state a man is, whether of natural freedom, or society. And this rule duly attended to, would not only keep us from imposing unreasonably, and inhumanly on others *necessities*, (which is all the mitigation *Puffendorf* adds of his general assertion) but also from every kind and degree of

^b De Cive, Lib. III. Cap. vi.

^c De Pretio, Lib. V.

of unequal dealing. It is true, every man is to prize his own goods, or his own labour, where the law has not already done it; but let the price at which he rates them be according to his *conscience*, not his *inclination*, or *pleasure*. It is needless to observe, that all fraud and couzenage stand condemned by the general rule, ^d *Ratio postulat ne quid insidiosè, ne quid simulate, ne quid fallaciter*, "Reason requires, that nothing be transacted in commerce insidiously, fraudulently, and with dissimulation," saith *Cicero*. That *false weights* and *measures* are absolutely unlawful; neither may we make use of any *base sinister arts* to draw others into bargains, which may be to their prejudice. The wit that may be shewn in such methods of circumvention, will not atone for the *dishonesty* of them. A pleasant story of this kind, you have worth reading in *Cicero De Officiis*, Lib. V. Cap. xiv. of a certain *Pythian*, who under a pretence of an unwillingness to part with his gardens, over-reached *Caius Canius*, though a man of sense. This is what he there defines, "pre-tending one thing, and doing another." *Cum est aliud simulatum, aliud actum*. It is also evident, that we ought not to take advantage of another's ignorance, or of his particular fancy for a thing, or fear of disobliging us in not complying with our terms, or
of

^d De Officiis, Lib. III. Cap. xiv.

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of his *necessities*. Yet however plain these things are in *theory*, in *practice* many seem not persuaded of the truth of them.

SECTION IV. 1. We ought not to take *advantage* of another's *ignorance*, by concealing what he *ought* to know, and what is not *easily discernible*; either because in its own nature secret, or for want of skill in the particular thing, or through the uncommon stupidity of the buyer or seller. And upon this principle ^c *Cicero* will not allow an honest man, *ædes vendere propter vitia*, &c. "to sell a house upon account of its inconveniences, and not to inform the buyer of them, or to put off bad money, and the like." And accordingly, in the famous case of *Rhodes*, when there was a scarcity of corn there, and several ships about to arrive for their supply, he determines the case, that the *master* of the *first* ship that arrived, should inform the *Rhodians* of the rest, and not make his advantage of the scarcity, and of their ignorance of supplies being near. To direct us in our judgment in this, and such like cases, there is this *rule*; which as far as I have yet examined it, will, I apprehend, hold good. That a buyer or seller is not so much to consider, whether it is to the *advantage* of the *other party* to know what he knows; as what he should in *con-*
science

^c De Officiis, Lib. III. Cap. xiii, —xvi.

science be obliged to do, supposing himself as ignorant as the other, and so the truth not known till after the compact is finished, and the exchange made. Would he think himself in this case obliged to supply what was wanting, to make it an equal bargain? If so, he may be assured that in the like case, where he is apprised of the matter before hand, he ought to communicate his knowledge. Let us apply this to the present case, and here the question is, if the master, ignorant that there was more Corn coming to Rhodes, should sell his at a high rate, and a little after several other ships should arrive; whether he were then bound to repay those who had bought of him, what they had given him extraordinary? I fancy there is hardly any one who will not say, he is not bound to do it: consequently I should think, he is not bound to inform them of it, though he should happen to know it; but as he himself often suffers by his ignorance of futurity, may be allowed to make some advantage of his knowledge. What in generosity, and from a public spirit, he ought to do, is another question: I am now talking of strict justice. Some to vindicate their concealing the defects of what they sell plead, that they force no body to buy; but what is Cicero's comparison? A man lays snares for wild beasts, into which they fall of themselves, no one pur-

purſuing them and driving them on ; ſo you expoſe an houſe to ſale, and put out an advertisement of it, without the leaſt ſyllable of the faults for which you ſell it, and by this means another is caught unawares in the trap.

SECTION V. 2. Has another a *particular fancy* to ſomething which we are minded to ſell ? We ought not to take the advantage of this ſituation of his mind to ſcrew him up to an unreaſonable price ; for as much as the value of things depends, not on any man's *ſingle* opinion, but on the *general eſtimate*.

3. Do we think another under *particular obligations* to deal with us, and in confidence that we have him ſure, make him pay *dearer* for what he buys than the reſt of our customers ? We are certainly guilty of a breach of commutative juſtice.

4. Do we take *advantage* of another's *neceſſities*, to impoſe our own hard terms upon him ? It is a very *unwarrantable* practice. We know, perhaps, that another has a very urgent occaſion to buy ſomething in our poſſeſſion, and muſt have it whatever it coſt him ; whereupon we ſell as dear as we can. Or to make up a little money, he is under a neceſſity of ſelling though to his loſs, and ſo we buy as cheap, as at another time we ſell dear. But we muſt diſtinguiſh between
public

public, and private necessities. A private necessity will not justify the making a gain of it, as the public will do; which raises the account of things, and thereby renders it lawful to sell dearer. But let not this be forgotten, that the necessity is not to be the effect of our artful management, which is generally the case of *monopolies*; for this is imposing on the necessities of the public.

SECTION VI. I will conclude this Chapter with an inference from the value of things as first stated, in which state *usury*, when *duly regulated*, appears not inconsistent with the *strictest justice*. By *usury* I mean *taking interest*, in consideration of the *use* another has of my money. The money, though not *in itself* valuable, is by *accident* so; and serves instead of all things. Now, since *my money* is *useful* to the *borrower*, I can see no reason why I should not come in for a *share* in the profit; provided there be a *proportion* between the value of the interest I have for my money, and the use that is, or may be made of such a sum. For this proportion is all that is required by *commutative justice*. And especially does this appear lawful when it is considered, that I sometimes run the *bazard* of the *principal*. The *Jews* themselves were allowed by the *Law*, Deut. xxiii. 19. to lend on usury to *strangers*; which proves it not to be contrary to natural equity;

equity; and perhaps to their *brethren* too, who were *not poor*; for the *poverty* of the *borrower* is particularly mentioned, *Exod.* xxii. 25. as a reason against taking usury of him. And where it is not mentioned it seems to be intimated, by the laws specifying *usury* of *viſtuals*; for who should have occasion to borrow *viſtuals* but the poor?

Consult on this Chapter.

Cicero De Officiis, Lib. III. Cap. xiii.
—xxiii.

Selden De Jure Naturæ & Gent. secundum Hebræos, Lib. VI. Cap. ix.

Grotii De Jure Belli & Pacis, Lib. II. Cap. xii.

Puffendorf. De Jure Naturæ & Gentium, Lib. I. Cap. Sect. vii. 10—14.

Sbarrock De Officiis secundum Naturæ jus.

Tillotson's Sermon at the morning exercise, Works, Vol. I.

Blackball's Sermon on Usury.

Scott's Christian Life, Part III. Vol. iv. Chap. 7.

Stillingsfleet's Letter to a Deist.

Bacon's Essay on Usury.

Montesquieu's Spirit of Laws:



CHAPTER XI.

Of Truth ; how far its Obligations extend, and whether wholly founded in Justice.

SECTION I. **T**HOUGH *truth* borrows part of its authority from *justice*, and is usually treated not as a *distinct* virtue, but a branch of justice; in considering the obligation we are under to speak truth, I shall take a greater latitude, and inquire; whether there be not an *intrinsic beauty* in truth, and a *moral turpitude* inseparable from a *lie*; which is a violation of it. Truth is either *logical*, *physical*, or *moral*. *Physical* truth is the *agreement* of our *thoughts*, or *judgment* of things to the *things* themselves. *Logical* truth is the *agreement* of our *words* with the *reality* of things. *Moral* truth is the *agreement* of our *words*, and *thoughts*. That this distinction of truth is founded in a real difference of ideas may be exemplified after this manner. Being asked whether *Thomas* is at home? I answer *yes*, *believing* him to be abroad. It may so happen that
Thomas

Thomas is at home, so that here is *logical truth*, or a proposition verified in fact, but neither *physical* nor *moral truth*: for neither do my *thoughts* correspond with the *event*, nor my *words* with my thoughts. It is only *moral truth* that claims our consideration at present.

SECTION II. *Opposite to moral truth*, is what we term a *lie*; which may be thus defined. A *lie* is an *affirmation* or *denial* by *words*, or any other *signs* to which a *certain determinate* meaning is affixed, of something *contrary* to our real *thoughts*, and intentions. A *lie* always concerns the *present* time; for though a man who promises what he intends not to perform be a lyar; yet the lie consists not in the non-performance of the thing promised, (which is *unfaithfulness*, or breach of promise) but in making a promise, which, at the time when he makes it, he has no intention to observe. To constitute a *lie*, the *meaning* of the words, or signs made use of, must be *fixed* and *determinate*; so that it shall not be possible, at least not without notorious violence, to understand them in any sense, but that which contradicts the man's inward apprehensions. And when the sense is thus fixed, it makes no difference what the signs are which we employ. A lie may be told in *gestures* as well as in *words*. A man's deny

denying, in so many exprefs words, the doing something, which he was conscious had been done by him, is an unquestioned lie ; yet not more evidently a lie, than for a *mute*, being interrogated upon a fact which he did, to *bend his* ~~body~~, supposing that to have the *stated* signification of a negative. Nay more, *silence* unattended with any bodily actions may have the nature of a lie. By living in *society*, men are understood to enter into an *universal compact*, that in their dealings they will mutually reveal all the faults in the things exchanged, or sold, which each party has a right to be made acquainted with ; and that, consequently, in all such cases, *silence* shall be construed, as a declaration of our not knowing any such faults. Whosoever, therefore, in commerce, conceals what he ought to discover, has the guilt of a lie chargeable upon him by the foregoing definition. *Fables*, *figurative expressions*, and words, which by the *law*, or by some *standing custom*, are interpreted in a meaning different *from* that which they commonly bear, are acquitted as *innocent*, provided still the circumstances attending such modes of expression discover the nature of them ; so that a parable, or figure, shall plainly appear to be designed as such, and not for history and exact speaking. To which, perhaps, should be likewise added, that those schemes of speech ought to have

some good use; for to tell a story which has no instructive *moral* under it; or to employ strong figures, where plain language would as fully, and much more exactly, represent the truth, is hardly justifiable.

SECTION III. A *mental reservation* is but a *sorry refuge*, whatever the *Jesuits* may think, to whom the world is indebted for this, as well as many other ways of cheating the devil: for the lie is complete notwithstanding. In a mental reservation a man chops a proposition in two; uttering part of his meaning, and reserving part. What he utters is of itself an *intire* proposition, and absolutely *false*; but considered as one part of a proposition, of which the other is left behind, with the help of that reserve if expressed, would become a truth. A subject is charged, and that justly with holding a traiterous correspondence with the enemies of the state, and upon oath answers, that he had never the least correspondence with them, meaning *since yesterday*. The proposition, as it stand in words, contains an *intire* sense, and in that sense is a gross lie; but allowing of the addition, which the man makes in his own mind, *viz. since yesterday*, may be true enough. Such evasions are of little service, for as Bishop ^a *Taylor* says very well, “ If the words are a lie *without* a
“ mental

^a Ductor Dubitant. pag. 498.

“ mental reservation, they are so *with it* ;
 “ for this does not alter the *words* them-
 “ selves, nor the *meaning* of the words, nor
 “ the purpose of him that speaks. *Words*
 “ *spoken*, and words *not spoken*, cannot, with
 “ any propriety of speech, be said to be
 “ members of the *same* numerical propo-
 “ sition.” With the privilege of mental re-
 servation, none but persons of the dullest
 understanding need be caught in a lie ; and
 thus men would be *damned*, not so much
 for *lying*, as for want of *more wit*. An *Equi-*
vocation is a proposition capable of *two*
 senses, the one true, the other false ; but
 most *likely* to be understood in the *false*,
 and *designed* by the speaker to be so under-
 stood.

SECTION IV. The *injustice* of *lying* ap-
 pears from its being a *breach* of the *natural*
 and *universal right* of mankind to truth in
 the intercourse of speech. Men have a reci-
 procal right not to be tricked and deceived
 by each other: this right they enjoy, partly as
 the immediate *donation* of the *Creator*, and
 partly as the result of a tacit *compact* among
 themselves. The faculty of speech was be-
 stowed as an instrument of *knowledge*, not of
deceit ; to *communicate* our thoughts, not to
hide them. This was plainly the *intention*
 of the *Creator*, and the intention of the
 Creator clearly signified touching the use of

his gifts, is an *obligation* upon men so to use them; and in the present case, at the same time that it obliges one man to speak the truth, impowers another to challenge it. The will of the donor, that such and such persons should have the benefit of the gift, conveys to every one of them a right to claim it as his due; and to complain of wrong if he be excluded from the common advantage. This right of men to truth, from the will of the Creator, is further strengthened by their *own act*; or by that *tacit consent*, whereby each obliges himself to make use of sincerity, or plain-dealing, in the commerce of words. For as sincerity, or truth is the bond of society, without which conversation would rather be a plague than a blessing, the very entering into society has the nature of a promise, that men will observe the laws of truth, as well as practise every thing else, which is necessary for the preservation of society. From the natural right of mankind not to be deceived it follows, that *equivocating*, as to the *injustice* of it, is little less criminal, than direct lying. For as long as a man is deceived, what difference does it make in the wrong he suffers, whether it be done by a lie, or by an equivocation; which will as effectually deceive him as a lie? The *effect* is the *same*, and so likewise the *intention* of the speaker.

SECTION V. It was affirmed, that the *right* which men have to *truth* is *universal*, and in this sense it is so, that *all men as men* are naturally possessed of it ; but, in *another sense*, there are some *exceptions*. This right may not exist through some *defect* in the *subject* ; which is the case of *fools* and *madmen*, to whom truth and falsehood are much alike. A *pernicious* lie, even to these, would be *unjust* ; not as a lie, but as pernicious. Or where this right has *formerly* been, and does still subsist in the *general*, it may yet be *forfeited* in particular cases ; as by one who hath formed a design to kill another, and if not hindered, will probably accomplish his wicked purpose. Neither the person whose life is aimed at, should he save himself by a lie, nor any one who should tell an officious lie for him, will be guilty of the least injustice to him ; whom by this means they keep from perpetrating the mischief intended. Instead of a wrong, it is a kindness. Or, *lastly*, where the *consent* of the person *deceived* to forego his right is *reasonably presumed* ; as when it is more advantageous to him, that a lie be told him, than the truth ; in such a seasonable lie, there can be no injustice. Though I should rather argue against the injustice of such a lie, immediately from the *benefit* which it yields to the person imposed on, which as a *superior*

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right

right over-rules the right to truth which is *lesser*, than from his *supposed consent* to part with his right; since it is not his consent, but his *after approbation* which is supposed. And we therefore endeavour to avoid all suspicion of our lying to him, because we suppose we should not have his consent to tell him a lie. Upon this principle the *physician* is defended in those *comfortable lies* with which he amuses his patients; and supplies what is wanting in the virtue of his medicines.

SECTION VI. Concerning the *right* of *children*, of those who are *no parties* in the discourse, or of a *fair and open enemy*; there is more room for dispute. That *children* have a right to truth, for my part, I make no doubt; they have a right not to be *abused* in their *education*, not to have their minds set wrong or perverted by evil habits or sentiments; and to secure this right, not only good *instructions*, but good *examples* are necessary. ^b *Herodotus* tells us of the ancient *Persians*, that one of the first things in which they instructed their sons, with the greatest care, was to speak truth. And every one must own, that nothing is of greater importance, than to inspire children with a love of truth, and a hatred of lying. They should be taught to pay the strictest regard

^b Histor. Lib. I. See also *Xenophon*. Cyropædia, Lib. I.

regard to truth in all their words ; and does not this imply that we ourselves should avoid a practice towards our children, with an aversion to which we endeavour to possess them ? Lest coming to perceive that we have deluded them with falsehoods, they learn to despise the fine things we tell them in commendation of truth, and be determined for lying by our example. Certain little arts of deceiving children for their good are allowable ; but then they must be plainly for their *good*, and not *inconsistent* with *truth*. All lying is *unjust*, on account of the *corrupt* influence it would have on their manners.

SECTION VII. They who are *no parties* to our *discourse*, but *within hearing*, whether they are so designedly, or by chance, have *no right* to our meaning ; and, therefore, if they are deceived, must thank themselves for putting a sense upon words neither directed to them, nor intended for them. But then this will not justify two persons, who shall *contrive* their discourse on purpose to *deceive* a third ; for this *intention* of theirs, that he should be their hearer, and ordering their conversation with a principal regard to him, does indirectly give him an *interest* in it, and a *right* not to be insnared by it. Towards an *enemy*, unless it be in *treaties*, during which there is a suspension of the war,

or in some other excepted cases; *lying rumours*, and other *stratagems* and *artifices*, as foreign from the truth, are practised without any imputation of injustice; how honourably I will not pretend to say. Allow me to close these observations on the *obligation to truth*, as supposed to rest *intirely on justice*, with the reflexion of a ^cjudicious writer. “Some have doubted, whether the *sin* of a *lie* consists in the bare *untruth*, or only in the *injustice* of it; and from hence have been inclined to believe, that such a lie as does no *hurt* to any one, nor draws any manner of *evil consequences* after it, is not to be looked upon as a *sin*: and so much the less if it be told with a design only to do good, or prevent mischief. The niceties of this controversy I leave to be discussed by others; but since human *society* cannot be *upheld* without, in many cases, a dependence on one another’s *veracity*, I may surely venture thus far to conclude; that not only such a lie as tends to the *damage* of another, but also such a lye, however otherwise innocent, as gives occasion to have a *man’s truth suspected* in other cases, is to be reputed unlawful; if for no other reason, yet at least for this, because it is *injurious* to human society.”

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^c Archbishop Syngé’s Gentleman’s Religion, Part. III. Sect. xxxii.

SECTION VIII. After all that has been now said, were the *whole* question concerning lying to turn upon the *justice*, or *injustice* of it, there would be no great difficulty in deciding many cases; but it may be further queried, whether a *lie* ceasing to be *unjust*, becomes *innocent*? Or whether the *obligation* to speak truth be *intirely* founded in considerations of *Justice*? I think it evident that it is not; and that therefore those *Civilians* and *Divines* are very much out of the way, who in the debate about the lawfulness of lying, have recourse to no other principle than that of justice, or convenience. A lie may be considered as a *wrong* to *justice*, or to *truth*; as it is not always a wrong to the former, it may in that respect happen to be lawful; but when lawful in the respect which it bears to justice, is otherwise with regard to truth. Two men, for a trial of skill, or for a wager, contend, who shall utter the most extravagant falsehood; there is no person deceived, nor intended to be deceived, and consequently no person wronged, and yet truth is injured after the most outrageous manner. Which, by the way, shews, that an *intention to deceive* does not enter into the *general definition* of a lie. It is this which makes it an act of injustice, but is not necessary to make it a lie, or criminal. “ A
“ lie,

“ lie, says ^d *Aristotle*, is in itself evil, and
 “ disgraceful; truth good, and praise-worthy.
 “ Truth, as it relates to facts and agree-
 “ ments, belongs to another virtue; (he
 “ means justice) he only deserves the praise
 “ of truth, who acts and speaks truly from
 “ a habit, or love of truth, without confi-
 “ dering its profitableness.” From whence
 it follows, that he who tells an *officious lie*,
 and defends it as lawful, avoids lying at
 other times, not properly as it is contrary to
 truth, but justice.

SECTION IX. But it will be asked, is *ly-
 ing* then *absolutely unlawful*? Though out
 of regard to truth, a virtuous man will not
 lie if it may be avoided, yet will not *self-pre-
 servation*, or *charity*, make a lie warrantable?
 Must a man give up his own life, or the life
 of a neighbour, which he can save at the
 expence of a lie? The ^e *Jewish Masters* are
 so far from holding it absolutely unlawful
 to lie, that they confine the unlawfulness of
 lying chiefly to *contracts*. If we will take
 it upon trust from ^f *Grotius*, the *Pagan Phi-
 losophers*, and almost all the Christian writers
 till *Augustin*, were in this sentiment. And
 Monsieur ^g *Titius* is pleased to say, that
 “ the

^d *Ethic. ad Nicom. Lib. IV. Cap. vii.*

^e *Selden De Jure Naturæ, &c. Lib. IV. Cap. iii. Lib. VI. Cap. iii.*

^f *De Jure Belli & Pacis, Lib. III. Cap. i.*

^g *Puffendorf. de Jure Naturæ & Gentium, Observat. ccl.*

“ the contrary opinion which makes lying
“ to be unquestionably evil, is only a vulgar
“ prejudice : which, as many others, has
“ its original from hence ; that in Morality
“ men reason without any certain and con-
“ stant rule.” This is now become pretty
generally the sense of the learned world, and
I can so far go in with it, as to grant it law-
ful for a man to deceive another by *equivocal*
expressions of his mind, if it may be
done without *injustice*, and answer some
important end. My reason is, that the
equivocation in this case is supposed not to
be contrary to justice, for want of a right
in the hearer to the meaning of the speaker ;
and is not absolutely contradictory to truth :
since the words will very well admit of ano-
ther sense, besides that, which it is most pro-
bable will be put upon them. How other-
wise can we account for that saying of our
Saviour, ^h *Destroy this temple, and in three*
days I will raise it up again ; which the
Jews understood of the temple where they
sacrificed ; but *Jesus* spoke of the *temple of*
his body ?

SECTION X. But that *proper direct lying*
is simply forbidden at *all times*, and in all
circumstances, I am not ashamed to declare is
my opinion, notwithstanding the observation
of

^h John ii. 19.

of Monsieur *Titius* just mentioned, for the following Reasons.

i. The *limitation* always added, that *truth* ought *not* to be *violated* without the greatest *necessity*, is a tacit *confession*, that *truth* hath its *rights*; that there is something *sacred* in it; and that it is of a nature *intrinsically good* and *amiable*. What *necessity* then can be pleaded for violating it? No other then may be pleaded for ⁱ *doing evil that good may come of it*.

ii. *Veracity* or *truth* is a *perfection* of the *divine nature*. *God cannot lie*: and why so? but because it is *absolutely evil*, and *incompatible* with the idea of a *perfect Being*. And whatever imitable perfection there is in God, all his intelligent creatures are under an obligation of imitating. Nor let it be ^k *objected*, "That there is a great *disparity* in the cases, that God, though possessed of a supreme right over mankind, cannot make use of a lie, because it is an indication of *weakness* to have recourse to such methods. He has no occasion for it; being by his almighty power able to accomplish his ends without it. Whereas to such *mean infirm* creatures as we, such little things are often mighty serviceable." But if the divine *Omnipotence* be a reason why
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ⁱ Rom. iii. 8.

^k *Grotii De Jure Belli & Pacis*, Lib. III. Cap. i.

he *cannot* lie, (though on this supposition it should rather have been said that *he need not lie*) it is also a reason, why they who *trust in his providence should not* : since the same power, whereby he executes whatsoever he pleases, can relieve them, without leaving them under a necessity of breaking in upon the rights of truth ; of which he is the sovereign guardian. This minds me of another consideration.

SECTION XI. iii. A *lie* is a *reflexion* upon *Providence*, as if the divine Being would not, or could not carry on his designs by the force of truth ; but must frequently be obliged to the assistance of a lie. *Does God need my lie ?* The language of a lie is, that *he does*. If the end proposed by a lie, be the obtaining something which God sees to be for *our interest*, or for the interest of his *church* ; he, whose wisdom is infinite, and whose dominion over persons and things is universal, can and will so order events, that no one intitled to his help, and depending upon it, shall be necessitated to practise a thing in itself base and shameful. If God sees the thing not to be of this nature, and upon this account does not grant us the concurrence of his providence in procuring it, we have no reason surely to work by a lie. In short, in all such cases we should say,

say, as the ¹ *three Youths*, when threatened with the *burning fiery furnace*, for not worshipping the *golden image*. *The God whom we serve is able to deliver us, and will deliver us*, if it be necessary; but if not, this we are resolved upon, not to extricate ourselves by a lie.

iv. *God is omnipresent*, and because omnipresent acquainted with every thing which we utter. ^m *There is not a word in our tongue—but he knoweth it altogether*; so that whenever we assert any thing, we really assert it not only to *men*, but to *God*; who stands by, and hears us. Now God has a right, I do not say, not to be deceived; for that is impossible; but to the truth: and it can never be lawful to *lie unto God*; which yet is *indirectly* done every time we lie to men; since whether we think of it, or no, God is always a witness to our words.

¹ Dan. iii. 17.

^m Psal. cxxxix. 4.

Consult on this subject, besides the Books quoted,

Plutarch in vitâ Epaminond.

Grotti Comment. in Luc. xxiv. 35.

Whitbii Ethic. Lib. II. Cap. V. Sect. 12.

Tillotson's Works, Vol. III. Sermon. cxlix.

Sharp's

Sharp's Sermons, Vol. I. Serm. ix.

Clarke's Sermons, Vol. VIII. Serm. xii.

Watt's Works, Vol. I. Serm. xx, xxi,
xxii, xxv. Vol. VI. page 368—371.

Evans's Sermons, Vol. II. Serm. xiii.

Grove's Works, Vol. III. pag. 18, 381.

Lardner's Sermons, Serm. iii, iv, v, xv.

Scott's Christian Life, Vol. I. Chap. III.
Sect. iii. Vol. IV. Chap. III.

Collier's Essays, Part IV. Essay iv.

Syngé's Gentleman's Religion, Part III.
Sect. xxxii.

*Hartcliffe's moral and intellectual Vir-
tues.*

Cud worth's Treatise of Morality.

Wollaſton's Religion of Nature, pag. 29,
&c.

Fiddes's general Treatise of Morality,
Chap. IX.

*Rutherford's Essay on the nature and ob-
ligations of Virtue.*

Placette's Essay on Lying.

Turnbull's Heineccius, Book II. Cap. vii.

*Glover's Letter to Dr. Waterland con-
cerning Sincerity.*

— Discourse on Virtue and Religion.

— Treatise on Virtue and Happiness.

Spectator, N^o. 352.



CHAPTER XII.

Of Faithfulness, and the several Distinctions of Promises.

SECTION I. *F* *aithfulness* is nothing else but an agreement between a man's *promises*, and his *actions*. Promises are distinguished after the following manner.

1. There is a *simple* promise, and a promise by *contract*. The first is founded in a *simple act*, or the act of a *single person*. To this in common speech the name of promise is appropriated. The other is grounded in a *mutual act*, or the act of *two* or *more* persons; one of them promising something, in consideration of something done, or promised to be done by the other. A mutual promise is otherwise called a *pact*, or covenant.

2. There is a *perfect*, and an *imperfect* promise. An *imperfect* promise is intirely *de futuro*; as when I tell another I have a *design* to do this, or that for him. Such a promise does not properly oblige; because it is not properly a promise. All that we are concerned for here, is that we *speak truth*; that

that is, at the time when we give another hopes of receiving some kindness, or benefit from us, that we *intend* to be as good as his expectations. But if our minds afterwards *alter*, there is no room for him to charge us either with a *lie*, or a *breach of promise*. A *perfect* promise is partly *de præsenti*, and partly *de futuro*: as when I *positively* declare I *will give* a man something, or do something for him. In this case there is a right *immediately transferred*, though that right lies as it were dormant, till the time is expired by which the promise was limited. A promise of this kind, other requisites being supposed, is unquestionably obliging.

3. There is a *complemental*, and a *serious* promise. A *complemental* promise is delivered with a *design*, that the *person* to whom it is made, should take it for a *complement*, and the *circumstances* of time, place, persons, and expression, are to determine it to be no other: so that if the man to whom the complement is addressed, mistakes jest for earnest, he may have nothing to blame, but his own folly or vanity. A *serious* promise is one made with the *intent*, that the person to whom it is made, should think the promiser in good *earnest*; and other circumstances concur to establish a belief that he is so. That this *latter* is *obligatory*, no body will deny; and as for promises of the *former* sort, though, perhaps, they have no

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force in them, a *complement* in *promising*
being of much the same value as a *figure* in
ordinary discourse ; yet this will not excuse
those who deal in them : since though they
may be innocent in neglecting their pro-
mises, they were blameable for making them
with design never to keep them ; this being
a very near approach to a lie. Truth is
not thus to be trifled with.

4. There is an *absolute*, and a *conditional*
promise. An *absolute* promise is unattended
with any *reserve*, either expressed or impli-
ed. A *conditional* promise is that, the *per-*
formance of which is *suspended* on some con-
dition, if not *expressly* mentioned, yet evi-
dently supposed. The *condition failing*, the
promise is of *no force*. This holds not only
where the condition is *expressed*, but where
it may be *obviously* gathered from the *matter*
of the promise, or some *circumstances* of it.
" *Ne illa quidem promissa servanda sunt, qua*
non sunt iis ipsis utilia quibus illa promiseris,
says *Cicero*. " Those promises are not to
" be kept, the performance of which is of
" no use to the persons to whom they were
" made." Why so ? but because such
things are always *tacitly excepted*, as would
be hurtful to the person to whom they are
promised ; or if of any advantage, that ad-
vantage is very inconsiderable, and not to be
compared with the damage which the pro-
miser

miser would sustain by a rigorous execution of his word. ^b *Nec promissa igitur servanda sunt, &c.* “ Nor are those promises to be
 “ kept, which are in their performance,
 “ useless to him in whose favour they were
 “ made, or the performance of which
 “ would be more detrimental to you, than
 “ beneficial to him. It is contrary to our
 “ duty to prefer doing a *mischief* before oc-
 “ casioning an *inconvenience*. As suppose
 “ you had promised to plead a cause, and
 “ in the mean time your son is seized with
 “ a dangerous sickness, your failing in your
 “ promise would be no fault; and your
 “ friend would be faulty, if he did not ex-
 “ cuse you.”

SECTION II. I believe I need not put you in mind, that it makes no difference as to the obligation we are under to fulfil our promises, whether they are made *immediately* by *ourselves*, or by some *other* person whom we have *intrusted* with full power to act and treat in our name. Such persons being declared to be our representatives, and the authoritative interpreters of our mind, all they do *within the limits* of their commission, must be understood as ratified by us. The *obligation to fidelity* is ultimately to be *resolved* into that *power*, which every man has to *bind himself* by a declaration of his
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^b *Cicero. De Officiis, Lib. I. Cap. x.*

will to that purpose. This obligation of ourselves *ordinarily* gives some *other* person a right to demand that, to which we have obliged ourselves. In all which cases, not to render him what by the promise he has a right to challenge, is notorious injustice. *‘Fundamentum est justitiæ fides, &c.* “Faithfulness is the foundation of justice, or
 “sincerity, in making our declarations and
 “promises, and constancy in fulfilling
 “them.” The *Romans* therefore made a *goddess* of this virtue *Fides*, placing her *statue* in the *capital* next to that of *Jupiter* himself. And even where there is *no right* on *one* side, yet the obligation may still subsist on the *other*; since this, as was observed before, arises from the *power* which men have over themselves, to oblige themselves by their own act. And when they do this absolutely, or without any regard to, or supposition of another’s right to insist upon the performance; this intention of theirs to oblige themselves, does as really oblige them in the sight of God, who is a witness to all that is done, and in honour concerned to vindicate every breach of truth and fidelity, as if they stood bound in justice to another man. The consequences deducible from this principle will be seen afterward.

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‘Cicero, De Officiis, Lib. I. Cap. vii. Lib. III. Cap. xixx.

SECTION III. It deserves observation, before we proceed further, that a promise is *not properly fulfilled*, if it be not *bona fide*, that is, *honestly*, according to its *plain meaning*: so that on the *one* hand, it would be knavish for a man to evade the *meaning* of a promise or agreement, under a pretence that he kept to the *letter* of it; * as he who having made a truce with the enemy for *thirty days*, in the *night*, laid waste the country; having no excuse for what he did, but this wretched one, that the truce was for so many *days*, not *nights*. † Alike fraudulent and unjustifiable was his conduct, who being a prisoner of *Hannibal's*, and by him released with his companions, upon their oath given, to return again, in case they obtained not of the Senate the Redemption of the prisoners; came back just after he had left the camp, as if to take something that he had forgotten, and by this device thought himself released from his oath. But what says the *Moralist*, *Fraus astringit sed non dissolvit perjurium*. “The fraud heightened, instead of clearing the guilt of the perjury.” Let me add another instance equally fraudulent, and at the same time shockingly cruel, of a ‡ *Turkish* Emperor, who prevailed on the

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governor

* *Cicero De Officiis*, Lib. I. Cap. xiii.

† *Ibid.* Lib. III. Cap. xxxii.

‡ *Vertot's History of the Knights of Malta*, Vol. I. pag. 356.

governor of a place which he besieged to surrender it, by swearing by his own head, that he would not hurt his; but when he had him in his power, ordered him to be *sawn in two*, saying, he had given him assurance for his *head*, but had not meant to spare *his sides*. Nor, on the *other* hand, are we to depart from the *plain letter* of a promise, under a pretence, that we are true to the *spirit* of it; a piece of cunning for which the late *French King* was very famous.

SECTION IV. In determining cases relating to promises, these *two* general *rules* may be of use.

i. Whatever promise is *lawfully made*, and by a person having the *use* of his *reason*, nothing happening afterwards but what was *foreseen*, or what, if foreseen, would not have *prevented* the promise, or rendered it *unlawful*, ought to be *religiously* kept. The reason is, that *every* promise is *in itself binding*, that has not some circumstance attending it to *null* it. Now that which is foreseen, or which, if foreseen, would have been no objection against the promise; if it null the promise, must do it *ipso facto*, or at the time of making it, or not at all; since upon the supposition now laid down, there is nothing afterward occurs, which can produce the least alteration in the case. But that a
promise

promise lawfully made, and by one perfectly apprised of what he does, may be null in the instant of making it, seems to me absurd, and of dangerous consequence to affirm; as it encourages men to promise what they design not to perform. For thus will they argue; if I may lawfully make this promise, and afterwards as lawfully break it; why may I not as lawfully make it with an *intention* to break it at the same time? Following this rule, I must decide in the case proposed by ^h *Cicero*, otherwise than he does, *viz.* of a man who in a dropsy is made acquainted with a specific for the cure of that distemper, on the promise first given, that he will never afterward make use of it, without leave from the person who communicated the secret. If some years afterward he falls into the same calamity, *Vitæ & salutis consulendum*, "He should consult his *health and life*," says *Cicero*. I think that he is rather to regard his *promise*, which, because lawfully made, and on a prospect of what afterwards comes to pass, ought not to be violated.

SECTION V. ii. A promise in *itself* not obliging, may become *obligatory*, through some *additional circumstances*. The promise of one not yet arrived at the *full use* of his reason, or at a capacity of judging of the expediency

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^h De Officiis, Lib. II. Cap. xxiv.

diency of such an act ; as likewise the promise of a *child*, made *without*, and *contrary* to the *consent* of his *parents*, in cases wherein that consent is necessary, have of *themselves* no force ; and yet the *circumstances* of the case may be such, that the promisers may be in conscience, obliged to make good their word. Thus money laid out for the *advantage* of a *minor*, on promise of a repayment, ought accordingly to be repaid with acknowledgment of the favour, in consideration that the loan was *bona fide*, and for the benefit of the borrower ; though he was not a capable judge whether it would be so or not. Thus again, though it be unlawful for a young man to promise marriage without leave obtained of his parents ; yet if by a promise of marriage he has inveigled some weak female, to allow him freedoms fit for none but a husband to take, there can, I think, be no doubt, but he is obliged to stand to his promise. So that wheresoever the *damage* sustained by another, through the credit which he gives to our promises, cannot be *compensated* but by our doing the very thing promised ; there the promise ought to be fulfilled, with this limitation however, that the matter of it be not something criminal.

SECTION VI. Having laid down these rules, I come next to consider the several things

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things which make a promise void, or may be thought to do so. And,

1. The *matter* of a promise, if either *sinful* or *impossible*, nulls it of course. A man is not bound to do what he *cannot*, through a want of *natural* or *moral* power; though for that very reason, he is greatly faulty in making such a promise, if when it is made, he perceives the natural or moral necessity he is under of not observing it.

2. Where the *promiser* is not *sui juris*, or at *his own disposal*, his promises are of themselves void and inaffective. It may be proper to say more of this, when we consider the duties of parents and children with relation to each other.

3. A promise ordinarily obliges not, if the promiser have not the due *use* of his *reason*; which is the case of *fools*, *madmen*, and *children*; but whether we ought not to except all such cases, wherein the *absence* of *reason* is *voluntary* and *criminal*, may be made a question. As whether *drunkards* are exempted from the obligation of keeping the promises which they make in their liquor? On the one side it is hard to believe, that a man's *sin* should help him to a *privilege* which he possesses not at another time. Should a man in a drunken fit kill the next person that he meets, both the laws of God, and man, reject the plea of the
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loss of his reason, and judge him guilty of murder ; though they would pass a more favourable sentence in case of stupidity or madness. On the other hand, " There is, " as ⁱ *Puffendorf* shews, a great difference " between *crimes* committed, and *promises* " made by a man *drunk*. Criminal actions " are absolutely and expressly forbidden ; " and by consequence the occasion leading " thereto, which ought therefore to be " avoided. And if we might, but do not " avoid them, we are reckoned answerable " for the event. But no law denies a man " the liberty of promising as he sees fit, " On this account he is esteemed to be under no such obligation, to guard against " a condition, wherein he promises that " which at another time he would not, " and consequently such promises do not " oblige." But though there be this difference, yet whether this wholly destroys the reason given for the affirmative side of the question, may deserve to be further considered. To proceed, the *law* in *most* cases *nulls* the promises of *minors* ; but the law is not always a rule of conscience ; nay, from the very ground of this regulation of the law, *viz.* that under such an age persons are not fit to be trusted with themselves, and their own affairs, it may be argued, that a minor enjoying a *maturity* of reason, and capacity

ⁱ De Jure Naturæ & Gentium, Lib. III. Cap. vi. Sect. v.

capacitated to judge of the motives inducing him to promise, and the probable consequences of promising, is obliged in conscience, as far forth, as if he were of age. Yea, as I shewed before, one too young to know the advantages or disadvantages arising from his promises, may yet be bound by them in some particular circumstances.

SECTION VII. 4. *Errantis non est consensus.* “A person under a mistake, does not “properly consent,” says the *Civil Law*; and therefore a promise which is the effect of mistake, must be pronounced void; supposing that mistake arose, either from the words of the promise, or is plainly enough to be inferred from the nature of the thing, and was the cause of the promise; so that there would have been no such promise, if the mistake had not occasioned it: and likewise, in case the other party does not undergo any damage by the non-performance of my promise, or if he does, that I am willing to make him any reasonable satisfaction. *Illis promissis standum non esse, &c.* “Who “does not see, says ^k *Cicero*, that a man is “not obliged to stand to those promises, “which he made being dishonestly deceived.” Indeed, where there is fraud as well as error, the case is more evident; though

^k De Officiis, Lib. I. Cap. ccix.

though I think, with the conditions before mentioned, a promise founded in the *mistake* of one of the parties contracting, though there be no *fraud* on the other side, is void.

5. Is *fraud without error* sufficient to null a promise? I think not, for though there be an attempt to deceive, yet since there is no actual deception, the *consent* of the will is *intire*, and consequently obliging.

6. Will the *character* of the person to whom the promise is made, justify our not keeping it, as the being a *bad man*, a *cheat*, an *enemy*, or one of a *false religion*? ¹ *Neque dedi, neque do fidem infideli cuquam.* "I never meant to ingage myself by any promise I have, or shall make to a villain," says *Artreus* in the *Poet*. *Faith is not to be kept with Heretics*, say the *Papists*. But what is the reflexion of the honest *Heathen*? "*Si hoc sibi sumant, &c.*" "If persons presume on this, that faith pledged to dishonest persons is not to be preserved, do they not establish an excuse for perjury?" We should have a fine world, if this abominable maxim generally took place.
^m The Viscount *Turenne* had a much nicer sense of honour. Coming home one night he fell into the hands of robbers, who stopped his coach near *Paris*. On his promising them

¹ Ibid. Lib. III. Cap. xxix.

^m *Ramsay's Life of Viscount Turenne*, pag. 358.

them a *hundred Louis d'ors* to let him keep a ring of a great deal less value, they returned it; and one of them had the boldness to go to his house next day, and in the midst of a great company to whisper him, and demand the performance of his promise. The viscount ordered the money to be paid him, and before he related the adventure, let the robber have time to escape; adding, that a *promise* ought to be kept *inviolable*, and that an *honest* man should never break his word, though given to *knaves*.

SECTION VIII. 7. It is commonly asked, says ^a *Grotius*, whether a *promise*, made for some *cause* naturally *vicious*, be *valid*? As if any thing should be promised in *reward* of an *assassination*. His answer is, that as long as the crime remains *not committed*, the completion of the promise would be sinful, because it would be tempting another to sin. But as soon as the crime is *acted*, the promise ceases to have any such influence, and thereupon immediately exerts its obligation. But it may be replied, that the fulfilling of such a promise, though it cannot be a motive to a crime already past, yet may be an *encouragement* to the same person, or to others to undertake, or do the like *hereafter*. For which reason it is, perhaps, further to be considered, whether it is at our instigation that

^a De Jure Belli & Pacis, Lib. II. Cap. xi. Sect. 9.

that the sin is committed ; or, whether the matter was proposed by the other person. In the *first* case we seem obliged to fulfil our promise, to make some compensation to the person for the injury we have done him in drawing him into a bad action ; in the *other* case, I am ready to think we are not obliged ; because it may prompt men wickedly disposed to offer themselves, as instruments and executioners of the passions of the revengeful, the sensual, and lewd.

8. Have promises *extorted* through fear a power to oblige ? It is the most general opinion, that they have *not*, when that fear is *unjustly* raised ; or they are the cause of it, who ought not to have been so. *Si prædonibus pactum pro capite non attuleris*, &c. say ° *Cicero*, “ If you do not pay to robbers the sum you promised as a ransom for your life, you are guilty of no dishonesty, not even though you were sworn to do it.” Not merely, nor so much because your promise was the effect of fear ; for in answer to that objection in the case of *Regulus*, “ that promise ought not to be deemed valid which is the effect of *force*,” he answers, “ that no force can overbear a brave man ; but because a *pirate* or *robber* is not in the number of *fair* enemies, but a common enemy to mankind ; we ought to hold no faith, or treaty with him.”

"him." I own as *Cicero* here, and others since him have determined, a robber has no right to the performance of the promise into which he forces people; and yet in pursuance of the *first* of the rules before laid down, I must say, that nothing more is required to render promises of this sort obligatory, but that they be *lawful*; and that nothing occurs afterwards, which, if foreseen, would have made them otherwise: for as I have shewn, the efficacy of a promise depends not merely on another's right to exact the performance; but on a man's power to abridge his own liberty. So that the question may be reduced to this short *Dilemma*. When through fear I am reduced to promise another something, either I am persuaded of the *lawfulness* of this *promise*, and make it with an intention to keep it; and then continuing in the same sentiments as to the lawfulness of it, I cannot release myself from performing the promise. For as ^p *Cicero* says well, *Quod ita juratum est, &c.* "What is thus sworn, (it will hold as well if we say *promised*) and the performance thought to be lawful, ought to be performed." Or, on the contrary, the *promise* is *unlawful*, and I intend not to do as I promise; and then I will not say as *Cicero*, "though you do not perform it, you are not perjured;" but that such

^p De Officiis, Lib. III. Cap. xxix,

such a promise ought not to be made at all : since a promise being a declaration of my intention to keep my word, if it be made with a design to break it, is a plain lie.

SECTION IX. There is a question or two more relating to this subject, of importance enough to deserve a consideration.

1. Doth the *addition* of an *oath* oblige to the performance of a *promise* in *itself* void? For the better answering this question it is proper to *distinguish* between *Promises*, and likewise between the *ends* for which an *oath* is added to them. A promise in itself *void*, may concern something *lawful*, or *unlawful*. As to promises, the *matter* of which is *unlawful*, it hardly admits of dispute, that the solemnity of an oath notwithstanding, they continue void. For here was an *antecedent* obligation, by virtue of a divine law, to the *non-performance* of the thing promised; which obligation cannot be destroyed by any *after-act* of *ours*; and an oath is no more, though of a religious nature. It were easy to produce examples from profane and sacred history to this purpose; I will only refer to ¹ *David's* non-performance of the rash oath, by which he had bound himself to destroy *Nabal* and his Family. Where the promise is of itself *void*, but not *unlawful*, and so leaves us free to perform

¹ 1 Sam. xxv. 22.

perform it or not, and it is followed with an *oath*, there is some difficulty, yet not insuperable; if we only distinguish, as I proposed, between the *ends* for which an *oath* is *superadded*. If the end be only for *further confirmation*, then as it would tie the knot faster of a promise by which we *were* held; so in a promise of itself *void*, it ties no knot at all; but leaves us as loose and *disengaged* as before. And this I apprehend to be generally the case of promises nulled by the *error* from which they spring: for the oath here presupposes the validity of the promise. But if this oath was added with this only design to *superinduce an obligation*, where it might be thought there was none without it; from a *regard* to our *oath* it is fit we should keep our promise. This will prove the promise made to *robbers* to be sacred, if bound upon us by oath, though it should be granted they were not so without this ratification; because the very reason of extorting an oath on such an occasion is known to be this, a suspicion that we might not think ourselves bound by a simple promise.

SECTION X. 2. Is it possible for a man to *oblige himself* by an act in which he is the *only party* concerned? Or as *Puffendorf* expresses it, “to *oblige himself towards himself*,

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: De Jure Naturæ, &c. Lib. I. Cap. vi. Sect. 6, 7.

“ *to treat with himself, and promise himself*
 “ any thing which relates to himself *directly*
 “ *ly and only.*” That author judges not,
 and upon this foundation he rests when he
 says; “ that the *Makers of Laws* can never
 “ by any act of their own tie up their
 “ hands, so as not to have it in their power
 “ to abolish any laws they have made.”
 To me it appears, that we ought to distinguish between prescribing one’s self a rule, on a *deliberate foresight* of the particular temptations that may occur to make us transgress it, and the same thing done only in a general manner. This latter seems to have in it a *proviso*, that nothing intervenes, which if before thought of would have been made an exception: for when such an occurrence falls in the way, it is ordinarily lawful to depart from the rule we had set to ourselves. Thus ^f *Peter* having declared, *Lord, thou shalt never wash my feet*; immediately, upon our Lord’s farther instructing him, consents to have them washed by him. But when there is no change in the state of things, but what we foresaw when we parted with our liberty, or what had it been foreseen would then have had no influence at all upon the matter; to me it seems reasonable to say, that we are bound by our own act, supposing that act to have been lawful. So that though there be no *injury* to
a second

^f John xiii. 8.

a *second* person, we yet break our own word, and by so doing, sin against that supreme Being, who has made us free agents, and capable, by the free act of our will, of putting a *restraint* upon our after-actions. We are guilty of *unfaithfulness*, as properly as they are guilty of *lying*, who should *alone* utter great falsehoods. A promise to ourselves is nothing but a positive assertion concerning future time, that such a thing if in our power and right shall be or not be; and therefore upon this occasion ought to be made good: otherwise it is asserting a falsehood, which we might have hindered from being so. This is easily applied to the *supreme power* laying itself under voluntary restraints. The *Athenians* on a certain time lodged a *thousand* talents in the citadel, with a prohibition to any one to propose or order the employing this money on any other occasion, than repelling an hostile fleet which should make a descent upon their coasts. And yet they themselves afterwards, frightened by the revolt of the inhabitants of *Chios*, abolished this law. But their power to annul this decree arose not, as *Puffendorf* would have it, from their want of power to bind themselves by any decree of their own making; but from this, that the decree was a *general indeterminate* act, implying certain conditions in its very nature; or if you will from this, that they had *no power* at first

to make a decree, which should be to the prejudice of the state.

Consult on this Chapter the Books quoted,
and particularly,

Grotii de Jure Belli & Pacis, Lib. II.
Cap. xi.

Whitbii Ethic. Lib. II. Cap. v. Sect. 13.

Puffendorf. de Jure Naturæ & Gent.
Lib. I. Cap. vi, vii. and Lib. III. Cap.
iv, v, vi, vii.

Hutcheson. Compend. Philosoph. moral.
Lib. II. Cap. ix, xi, xiv.

Tillotson's Works, Vol. II. Sermon. lxxxvii.

Sharp's Sermons, Vol. I. Sermon. v, ix.

Clarke's Sermons, Vol. VI. Sermon. xiv.

Watts's Works, Vol. I. Sermon. xxi, xxii.

Lardner's Sermons, Sermon. xv.

Scott's Christian Life, Part III. Vol. iv.
Cap. iii, iv.

Collier's Essays, Part IV. Essay ii, iv.

Tyrrell's Disquisition of the Law of Na-
ture, Cap. IV. Sect. viii.

Turnbull's Heineccius, Book I. Cap. vii.
Sect. 206—210.

Esprit of human Virtues, Part. I.
Cap. ii, xxiv, xxv.

CHAP.



CHAPTER XIII.

Of Restitution, the Obligations to it, the Cases wherein it is to be made, and the Persons obliged to make it.

SECTION I. "ONE principal duty of society, says^a Puffendorf, "to which all mankind are obliged, is to injure no one; and the duty next to this (if they have injured any) is to repair the injury." The same reasons which prove the obligation of the first, prove as strongly that men are bound to observe the second; since this is only to restore things to that state in which they ought to have been, and would still have been, but for the fault of the unjust person. Happy would it be for the world, if a sense of the obligation of this duty were as general as the obligation itself; since nothing would be a more effectual restraint upon injustice of every kind. Few persons, if any, transgress with a formed design of never repenting, and of giving up the favour of the Deity, and all the

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^a De Jure Naturæ & Gent. Lib. III. Cap. i. Sect. 1.

happiness it can yield them. None therefore would wrong others for the sake of enriching themselves, if they were persuaded, that besides its subjecting them to the shame and pain of repentance, the crime would be wholly *unprofitable*, through their obligation to make a full restitution. Or who would endeavour by *calumny* to sink another's reputation, and raise his own upon the ruins of it, who believed and considered, that he must undergo the shame of a retraction, and thus sink his own character, at least as much beneath his rival's, as he had endeavoured by falsehood to rise above it? It may therefore be of extensive use distinctly to *explain* this duty; to evince the *obligations* men are under to observe it; and to exemplify it in the principal *instances*.

SECTION II. If we would understand exactly the nature of restitution we must observe, that the obligations to it take place only where others have a *perfect right* to what is wrongfully detained, or taken from them. If we have been deficient in generosity and charity, when proper objects have offered themselves to us, we are not obliged to make restitution to the indigent, whose wants we formerly overlooked; but it is enough if we are more liberal, when other cases present themselves. On the other hand, in matters of a *perfect right*, the duty of restitution obliges

obliges us, if we have *knowingly* and *wilfully* injured others, or even by a *faulty negligence*, in their persons, fortunes, reputation, or the like, to endeavour as far as we can fully to repair the injury. The *unjust* therefore must restore the full of what by fraud or violence they had taken from others, do all in their power to reclaim to virtue, those whom they had seduced to vice, and the like. And even if the damage was caused by a *faulty neglect*, the negligent are bound to repair it, according to the determination of ^b *Moses* with regard to a beast known to be rude, whose owner omitted to confine him. If a *servant* by a culpable neglect has damaged his master's estate, he is in justice bound to repair it as truly as if he did it by wilful fraud; though, perhaps, according to the degrees of wilfulness in the neglect, he may be obliged to a more or less complete restitution. Finally, they who have fraudulently hindered any thing from coming to another, which in right was his, are as truly bound to make restitution, as if they took it out of his possession. Thus the *adulterer*, who by debauching the wife of another begets a son, who comes between the husband's own son and his inheritance, is obliged to repair the damage of a lost inheritance to the real son of the injured husband.

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^b Exod. xxi. 28.

SECTION III. The *obligation* to restitution is so evident, that scarce any arguments will make it plainer, than it appears on the first view. It is no more than restoring persons to that state, wherein we ought to have suffered them to continue. If they had a right to their own, and ought to have been permitted quietly to possess it; it is evident, that they who by fraud or violence have taken away part of it, if they would be just, must restore it; since otherwise they continue the injustice. Whatever has been unrighteously taken from another is at best a *debt*, owing to him from the injurious person; every one determines that he cannot be a honest man, who does not pay his debts when he is able to do it: as long therefore as he detains what is another's, he continues in his debt, and continues unjust. No one can be said heartily to *repent* of an injury, which he does not repair if able. Repentance implies a strong concern to have the crime *undone*, and will prevail on the guilty to undo it. ^c *Zaccheus*, whom our Lord pronounced a true penitent, declared, that “If he had taken any thing from any man by false accusation, he would not only restore it, but restore it fourfold.” “In vain,” says ^d *Puffendorf*, would the law forbid
“injustice

^c Luke xix. 8.

^d De Jure Nat. & Gent. Lib. III. Cap. i. Sect. 2.

“ injustice, if the offender might continue in
“ the quiet possession of what he dishonestly
“ acquired. Nor could persons live on
“ friendly terms with others, who had
“ wronged them ;” unless, by making restitution they ceased to be unjust.

SECTION IV. We may better understand the *nature* and *extent* of this duty, if we briefly consider it with a regard to the several sorts of injuries, as they have been before distinguished. Persons may injure the *souls* of others by seducing them into corrupt and dangerous errors ; such as will dispose them to be vicious and profane, and to continue securely of this character ; and thus occasion their final misery. All who have been guilty in this regard, and are become apprehensive of the falsehood and danger of these opinions, are obliged with tenderness, and a suitable concern, to represent to those whom they have misled, the reasons which have brought them to a better mind, and thus expel the poison they had given : nor should a false shame hinder them from making the retractation as public as the mischief. Have any by artful insinuations, persuasion, and the like, debauched others, or by threats, or punishments, prevailed on them to profess, or practise in religion, against their consciences ? They should endeavour

deavour to convince the former of the evil nature, and fatal consequences of the vices, into which they have drawn them; and to persuade the others to prefer the satisfactions of a good conscience, and the favour of the Deity, above all the interests and pleasures of the world.

If we have hurted another by unjustly bringing *pain* or *sickness* upon him, we must, as far as we can, repair the damage by defraying the expence of his cure, and by allowing him an equitable compensation for the uneasiness we have given him, and for the loss of his time, while disqualified for attending his proper business. If the injury has been so great as maiming or disabling another, justice not only obliges the injurious to maintain him during life, but those also who depended upon him for their maintenance. They who have *corrupted* the *chastity* of any, either by artifice or violence, are bound, as ^c *Grotius* justly determines, to pay them as much money as may countervail the damage done them in regard to marriage; or to marry the person, if by a promise of this kind they prevailed on her to consent.

If the injury done to others has been in their *relations*, by alienating the affection peculiarly due to them, or seducing them into

^c De Jure Belli et Pacis, Lib. II. Cap. xvii. Sect. 15.

into dishonourable and ruinous courses, besides using his best endeavours to reclaim them, the injurious is obliged by every good office to repair the evil he has done, and to make such an acknowledgment in money, as according to an equitable estimate may compensate the grief and damage he has occasioned.

They who are chargeable with hurting the *reputation* of others, by detraction, slander, and the like, ought as far as they can to restore the sufferers to the good name which they have lost, by making the retraction as extensively known as the slander; and by money to make them satisfaction for the loss and uneasiness, which the calumny caused them while it passed uncontradicted. Finally, as to the *goods* or *estates* of others, wherein they may be injured, either by *taking away* what was *actually* theirs, or by *preventing* them from possessing what was theirs in *right*; the duty of restitution obliges to restore the same, or the value, with such an addition, as shall make a full amends for the loss they suffered by the unjustly taking or detaining it.

SECTION V. As to the *persons unto whom* restitution should be made, there can be little doubt. For to whom should it be made, but to those who have *suffered* the wrong?

But

But in case the wrong done be such, as puts it out of the power of the wrong-doer, to make reparation to the immediate sufferer, as murder; or the sufferer dies before the injurious are come to a strong sense of their injustice, and a disposition to repair it; it is then evidently due to his *heirs*, or *nearest relations*; for they also have suffered in the damage done to the deceased; and what was unjustly taken away from him, would otherwise have been theirs. It is reasonable also to conclude, a man would chuse that all the advantages to which he had a right, should descend to those, to whom he gave whatever he actually possessed. But if the injured person be dead, and has left no relations, or they are not to be found, what is then to be done? The unjust party hath no right to retain the fruits of his crime; nor can he, if truly penitent, allow himself to possess the wages of iniquity: he ought therefore to make satisfaction to *God*, whose laws he hath broken; and to *society*, the good order of which he hath disturbed, by imploying it in uses of piety and charity. This determination is warranted by the law God gave to *Moses*, *Numb. v. 5.*—And by the conduct of *Zaccheus*, before cited, approved by our Saviour.

The *persons* bound to *make restitution* are evidently the same who *did the wrong*; and
if

if it was by taking away another's property, and they omitted to restore it, then their *heirs* are bound, if sufficient was left them for this purpose; since such a proportion of the estate, though possessed by their relation when he died, was not his, but really belonged to the person whom he had wronged; and therefore if they knowingly retain it, they knowingly retain what is another's, and continue the injury. Where several have concurred in doing an injury, there is some difficulty in determining how far each is bound to make reparation; and if some neglect to do their part, whether the others are obliged to do the whole. To this it is usually answered, by distinguishing between the *principal* in an injury, and the *accessories*. The *principal* is without question obliged to repair the whole; since without him it had not been committed; and the others were little more than his instruments. As to the *accessories*, if the *principal* fail of doing his duty in this regard, they are obliged at least to repair all the damage they themselves did; and to make a yet larger restitution, in proportion to the degree of maliciousness with which they concurred in the crime.

SECTION VI. The cases wherein the injurious are excused from making restitution
are

are usually reduced to *three* heads. The *first* is the case of an *absolute inability*. This, if it be *real*, will excuse; since no one can be bound to an impossibility. If there be then a true repentance, and a hearty desire to make amends, if they make proper acknowledgments, and all the satisfaction in their power, it ought to be accepted. They cease to be in their disposition unjust, and have a right to be regarded as converts to righteousness. But this allowed, it will not excuse any from restoring what they have fraudulently taken, that they cannot do this, and support the same *shew*, and enjoy the same *luxuries* of life as they now do. They might as justifiably rob to supply these, as for this purpose retain what they have unjustly gotten. Persons must be content with the *necessaries* of life, if they cannot indulge themselves in more without taking or detaining another's property.

The *consent* of the *injured* person is another thing, which releases from the obligation to make restitution. He may certainly part with his own to us, and allow us to keep it, though we got possession of it unjustly; as well as give a thing at first freely. But this will not excuse such who extort a consent. Who, for instance, when able to pay the whole debt, oblige a creditor

tor to compound for a part, by threatening otherwise to detain the whole. The consent must be free, and dictated by a compassionate charity. *Finally*, Persons are excused from repairing wrongs which they have committed, if they have *received equal, or greater* wrongs from the parties injured. If a man pays himself the full, he has no right to demand a second payment; and one debt of injustice may be balanced by another; as one just debt is by another. For the determination of other cases you may consult the authors mentioned before; although most of their directions in doubtful cases, may be rendered unnecessary, by observing this one rule, of honestly pursuing the dictates of a heart desirous to restore every thing to the right state in which it was; and in which it might have continued, had they not unjustly disturbed and altered it.

Consult on this Chapter.

Grotii De Jure Belli et Pacis, Lib. II.
Cap. xvii.

Puffendorf. De Jure Naturæ et Gentium,
Lib. III. Cap. xi.

—De Officio Hominis et Civis, Lib. I.
Cap. vi. cum Observat. *Titii*, Observat. clv. &c.

Whitbii

Whitbii Ethic. Lib. II. Cap. v. Sect. 10.

Tillotson's Works, Vol. III. Sermon. cxvi, cxvii.

Whichcote's Discourses, Vol. III. Discourse i, ii.

Clarke's Sermons, Vol. IX. Sermon. vi.

White Kennet's Sermon. on Charity and Restitution.

Delany on Social Duties, Sermon. ix, x.

Dodwell on moral Duties, Vol. II. Sermon. vii, viii.

Evans's Sermon. Vol. II. Sermon. ix.

Watts's Works, Vol. I. Sermon. xxvi.

Scott's Christian Life, Part III. Vol. IV. Chap. iv, vi.

Wright's great Concern, Chap. VII. Sect. ii.

— Justice in all its Branches, Sect. VII.

Wollaston's Religion of Nature, Sect. vi, vii.

Placette of Conscience, Book I. Cap. xx—xxiii. and his intire Tract of Restitution.

Turnbull's Heineccius, Law of Nature and Nations, Book I. Cap. vii. N. 210.

Buclamaqui's Principles of the Law of Nature, Part I. Chap. iv.



CHAPTER XIV.

*Of Distributive Justice, its Nature,
principal Instances and Rules.*

SECTION I. **H**AVING treated one branch of *general Justice*, namely *commutative*, the other termed *distributive* is next to be considered. We shall content ourselves with giving a brief and general account of it here, as some of the principal instances of it will fall in naturally under the duties of *Parents, Masters, and Magistrates*. By *distributive justice* is meant, the constantly rendering to others what belongs to them, of *honours, advantages and rewards*; or of *burdens and punishments*, according to an *equitable proportion*. It differs from *commutative justice*, in that it immediately regards *persons, and characters*: whereas *commutative* directly regards only the value of *things*; and obliges us alike to fulfil our compacts, or give to another the value of his commodities, whether we deal with a man of worth, or a knave. Whereas *distributive justice* hath a regard to personal

worth, and services, and good offices, or to personal demerit, and viciousness; and suitably treats both. These do not admit so *exact* an estimate, as matters of trade and property; a latitude therefore is allowed, and we say *according to an equitable proportion*.

SECTION II. There is one part of *distributive* justice, in which persons of *all* ranks are concerned; the regulating their *esteem* and *regard* to others by their *real worth*; or their *disapprobation* by their *real viciousness*, as far as they can discover them. *Piety, probity, humanity, a love of truth, temperance, abilities* for being useful to the world, and a *disposition* to exert them for the common good; these, and the like qualities are the natural objects of esteem; and the persons to whom they belong, have a natural claim to honour and affection from us. On the contrary, *profaneness, dishonesty, sordid selfishness, inhumanity, an indifference* to truth and goodness, and a *licentious* pursuit of *mean* pleasure, without any concern to discharge the duties of social life, or to promote the common good; these are qualities which the author of nature designed we should regard with displicency and contempt. Next to the approbation of God, and the consciousness of deserving the esteem of others, is the satisfaction which a virtu-

ous mind injoys, in receiving proper marks of esteem, especially from the wise and good ; and scarce any thing more strongly excites and encourages to virtue. We owe it therefore to the well-deserving, and to the public, to regulate our honour and affection, not by *party distinctions*, and private views, but by *true worth*: and it is really unjust to caress and countenance the dishonest and vicious, because they are zealous tools of a party ; while we treat with coldness and disesteem men of true merit, because they are engaged in a different party.

It is granted, that nearness of blood, kindneses received, and the like, may justly determine our affection and good offices to particular persons, even preferably to others of superior worth, who are not thus related, or who have not thus obliged us ; because this is merely paying a debt of nature, or gratitude. But, with respect to the *common* duties of humanity, and marks of esteem and benevolence, *distributive* justice requires, that laying aside the bias of party, and little interests of our own, and when we form our judgments of others, making the same allowances for their prejudices and disadvantages, as we expect they should make for ours ; we regulate both our inward esteem and benevolence, and the outward expressions of these, by their true

worth. And did men of substantial goodness in all parties thus do justice to merit, wherever it was found, and discountenance the contrary, it would be a most effectual way to bring virtue into universal esteem; and that would be one of the likeliest methods to make the practice of it universal.

SECTION III. In *dividing burdens*, or assigning laborious offices or expences, *distributive justice* requires, that an *equitable proportion* be observed. All who share in the protection and advantages of a society ought to contribute to the support and defense of it, in proportion to their abilities, and to the advantages which they derive from it. They who have the largest share of property, or of enjoyments of any kind, as they are more largely interested than others in the public security, ought to contribute a greater proportion to the support of government, and the defense of the public. This is no more than paying according to the services done for them; and maintaining a fence answerable to the extent of land which they have secured by it. *Distributive justice* therefore requires, that in assigning offices of labour and expence, or in laying taxes, for defraying the charge of government, and public safety, regard should be had to this rule by the legislature; and by

by those who are trusted with the execution of the laws, in distributing to particular persons their several shares. Nor can any plead a sufficient reason for an exemption, unless it be, that they do, or have done, more important services to the community in some other way.

SECTION IV. In dispensing *honours* and *rewards*, superiors of every degree, if they would answer the demands of *distributive* justice, the design of their trusts, and the good of society, must regulate their distribution, not by partial affection, or views of private interest, but, by the abilities and dispositions of persons to promote the good of a family, a city, or a nation ; and their application of these abilities. A parent, who would have religion, modesty, submission, diligence, generous affection, and unity, flourishing in his family ; should confer the marks of his favour and peculiar affection on his children, according to their eminence in these qualities ; and not suffer instinctive fondness and blind affection to bias him in favour of the least deserving ; since this is real injustice to those who deserve well, discourages a virtuous temper and conduct, and countenances the opposite dispositions ; which must produce sensible uneasiness, and mischiefs in his little society. This reasoning may be urged with still-greater force

upon the governors of societies ; for as they have not the property which parents have in the rewards they bestow, and are in fact only the trustees of the public, they are unjust to it, whenever they distribute the honours and advantages committed to their disposal, in a manner opposite to the design of their trust, or less subservient to it.

And as the discouragement given to virtue, and a public spirit is so much more extensive, and the mischief arising from the magistrate's wrong distribution of favours, and rewards, is so much greater, than where a like fault is committed by a parent, or master of a family ; this violation of *distributive* justice is by so much the more criminal. When flattery, for instance, base compliances, a similitude of vices, or at best a resemblance of humours and personal attachment, receive those honours, employments, and advantages, which in the original design of government were appropriated to integrity, industry, courage, abilities for public service, a love of our country, and a devotedness to its interests. It may farther be worth observing, under this head, that though *distributive* justice awards *punishment* to every violation of the peace of the community, and of the rights of others ; yet the *ordinary observation* of the laws is intitled to *no* rewards or honours ; and they are only extraordinary services, or a more
active

active and intire application to advance the common weal, that either by the laws, or by a rational claim, can pretend to these. The reason is, that common instances of probity and subjection to the laws are sufficiently rewarded, in the common protection and privileges of the society; and have no claim to peculiar advantages and distinctions: whereas every violation of justice, and of the laws, being contrary to our duty, deserves punishment; and being in its prevalence destructive of the general good, the magistrate is obliged by his regard to the public to restrain it by proper punishments.

SECTION V. "Punishment, says *Pufendorf*, are evils which a person suffers against his inclination, by the direction of a superior, because of evil, which he hath voluntarily done." This is a just definition of punishment in *civil society*, but not in a *state of nature*; wherein the evils which an injurious person suffers from an equal, defending himself against violence, may with reason be termed a punishment; as it is deserved by voluntary injustice, and a proper means of discouraging the like for the future. The right of a society, or of its governors to inflict punishments is founded in the natural right of self-defense. For

B b 4 because

^a De Officio Hominis, & Civis, Lib. II. Cap. xiii. Sect. 4.

because every person in a state of nature has a right to defend himself, and his property, from unjust violence, and to make the wrong-doers suffer what is necessary for that purpose; the governors of a society, who are intrusted with the defense of every member of it, have the same right. And as men by doing evil deserve to suffer evil, and punishments proportioned to crimes are the only effectual method to secure the innocent, reclaim the injurious, and prevent the contagion of bad examples, the magistrate has an evident right to secure the common good and safety in this method. In every society laws of this kind are established, every man therefore who lives in the society, tacitly consents to these laws; and he has therefore no pretense to complain of wrong, when the evil overtakes him, which he consented to suffer if he broke the law.

That punishments may answer the ends of *distributive* justice, they should be inflicted *publicly*, with *due solemnity*, and with *impartiality*; not to gratify a private resentment, but to discountenance, and prevent injustice and wickedness. They ought also, as to their *degree*, to be *proportionate* to the demerit of the crime; proper consideration should be had also of circumstances which alleviate a fault, and of the penitence of the offender. And as every one who transgresses

gresses through anger, covetousness, and the like, is not immediately to be deemed unfit to live ; capital punishments should not be inflicted, unless where the malignity of the crime, obstinacy in wickedness, or the very bad consequences to the public, make it right and necessary for the magistrate, at the expence of life, to secure the rights and prosperity of good subjects. On this account it has been questioned, whether some of our laws, which making stealing a *horse*, or a *sheep*, and some other thefts of this nature, capital, can be justified on the principles of reason and equity ? And whether, as *idleness* is the usual incitement to these crimes, the confinement of the guilty to hard labour for a term of years, would not be a more equal punishment, strike more terror into offenders, and better secure property for the future ; as well as by making criminals serviceable to the public, qualify them to satisfy for the injuries which they have done.

SECTION VI. As to the right of parents, and heads of families, to punish lesser offences committed within their houses, it may be deduced, partly from the property which parents have in their children, and from their superior prudence, and unquestionable affection, which fit them, by proper correction to consult, not only the peace
of

of the family, and the support of their own authority, but the good also of the person punished. It may be argued also, partly from the *consent*, which domestics *tacitly* give when they enter a service, to submit to light corrections when deserved, and necessary; and finally, from the manifest benefit to the sufferer, in making him apprehensive of his ill conduct, and preventing his being seduced by views of present pleasure into habits of wickedness; to which present pain is properly opposed. To make these corrections effectual for this purpose, they should be inflicted without rage; should appear to proceed not from hatred to the delinquent, but a dislike of his faults, and an affection to him; should always be less than deserved, and be remitted, whenever there are fair tokens of repentance.

I would conclude this chapter with remarking, that from the definition of punishments it appears, they can, with justice, be inflicted on none, but those who have *done evil*. When therefore *innocent* children suffer through the fault of their parents, as in case of high Treason, and the like, the evils which fall on the children, are not to be considered as *punishments to them*, but merely as *misfortunes* inseparable from the present condition of human nature; according to which, as children without deserving them, receive great advantages from the probity,

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probity, prudence, and industry, of their parents; so they are, without deserving it, involved in some of the ill consequences of their idleness, extravagance, and wickedness.

Consult on the subject of this chapter.

Aristotel. Ethic. ad Nicom. Lib. V. Cap. ii, iii.

Grotii De Jure Belli & Pacis, Lib. II. Cap. xx.

— Comment. in *Matth.* v. 40.

Puffendorf. De Jure Naturæ & Gentium, Lib. I. Cap. vii. Sect. 9. & Lib. VIII. Cap. iii.

— De Officio Hom. & Civis, Lib. II. Cap. xiii, xiv.

Whitbii Ethic. Lib. II. Cap. v. Sect. 9.

Sbarrock De Finibus & Officiis secundum naturæ Jus, Cap. XIII. N°. iv—vi.

Conybeare's Penal Sanctions of Laws.

Osborne's End of penal Laws.

Randolph's Legal Punishment.

Scott's Christian Life, Vol. II. Chap. v, vi.

Wollaston's Religion of Nature, Sect. vi. N° 19.

Montesquiou's Spirit of Laws, Book VI.

Chap. xvi. Book XII. Chap. iv.

Bernier on Happiness, Virtue, &c. Part II. Chap. viii.

C H A P.



CHAPTER XV.

Of Marriage, of the Duties of Husbands and Wives, of Polygamy and Divorce.

SECTION I. **H**A V I N G treated at large of *ethical* justice, according to the method proposed, we proceed to treat of *oeconomical*; and as the foundation of families is laid in *marriage*, the *nature* of this society, and its *duties*, are first to be considered. That the great former of the world wills the continuance of the human species, appears from his qualifying the sexes to continue it; from the inclinations and affections subservient to this with which he hath formed them; from his still preserving the beauty and fruitfulness of the earth, their habitation; and from the almost immense quantities of life and good, to the production of which persons may be thus instrumental. It is therefore his will, that they who are qualified to beget, maintain, and educate children, should enter into such a society,

society, and pursue the design of it; unless by living single they are qualified to be more extensively beneficial. To make the propagation of life a *real good*, it is evidently not enough merely to introduce children into the world; but to render life a blessing to them, they must be nourished, educated, and provided for; and this requires many years of labour, prudence, tender affection, and concurring endeavours of both the parents. It is therefore plainly the will of God, that children should be begotten, not in consequence of a *wandering* lust, by *uncertain* fathers, and then left destitute of a proper maintenance and education; but that the parents should *previously* enter into such a *friendship*, and *compact* with each other, as may unite and direct their natural affection to their off-spring, and their love to one another, into the most likely measures for raising their children to a maturity of strength, knowledge, virtue, and happiness. If God wills that his reasonable creatures, should become pious, virtuous, and happy, he must will, that they whom he hath best qualified to render young creatures such, and to whom he hath peculiarly intrusted them, should unite in such a society, which is termed *marriage*, and steadily pursue the design of it. *Marriage* therefore, as it is a dictate of the *Law of Nature*, may be thus defined. “ A society formed between

“tween *two* persons of different sexes,
“*chiefly* for the procreation, and education
“of children.” We say *chiefly*; because
though this be the great end of marriage in
general, yet it is not the *only* justifiable end.
The satisfaction flowing from an *intimate*
union, and *constant* friendship, being reason
sufficient for persons to engage in this so-
ciety, who have no respect of children.
If it be for the mutual happiness of the par-
ties, and not inconsistent with the general
end of marriage, it is enough to make it
lawful.

SECTION II. If it be inquired, what sort
of *marriages* will best promote the benevo-
lent purposes of our Maker, whether the
union of *one* of each sex only, or *Polygamy*?
The answer is easy; that the former of man-
kind, who best understands the frame of his
creatures, and what is best suited to their na-
tural inclinations, affections, and wants, by
creating but *one man*, and *one woman*, in the
beginning, to be the parents of a future
race; and when he renewed the world after
the deluge, by preserving for that purpose
but one wife for one husband, hath suffici-
ently declared, what appeared best to his
unerring wisdom. See *Gen.* ii. 22. and
vii. 1, 7. The same also he declares in
every age to be his will, by constantly re-
gulating the births of children, so that there
shall

shall be a *majority* of *males* born above *females*, sufficient to answer the *extraordinary* consumption of the former by *wars*, *voyages*, and the like hazards peculiar to them; and to leave every where one man for one woman. The excess of male children born above females, as appears from exact ^a *observations* made for great numbers of years, is when at the highest, but as thirteen to twelve; and when at the lowest, as twenty to nineteen. As all therefore who are born with inclinations and abilities for the procreation, and education of children, have with these given them by the author of nature, a right to the satisfactions arising from the marriage union; and if a number of men engrossed each to themselves more than one wife, they will of course deprive some others of their natural right, *Polygamy* is evidently *unjust*, and contrary to the design of the author of nature. *Jealousy*, or an utter aversion to a rival in the object of this affection, is a passion natural to both sexes; and tops off the intire affection of our partner, gives the highest relish to the marriage friendship: and from hence it follows, that as God designed both should be happy in it, but one woman was designed for one man.

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^a See *Derham's Physico-Theology*, Book IV. Chap. x. and *Spéctacle de Nature* Vol. VI. Dialog. ii.

SECTION III. That *several husbands* should be appropriated to *one wife*, is a species of *Polygamy* universally condemned, as contrary to nature and reason; because it deprives the off-spring of the tender affection of its *father*, by rendering the relation *uncertain*, and because it deprives the *man*, on whom the care of providing for this uncertain off-spring is thrown, of the satisfaction arising from the *intire* affection of the *mother*, and incapacitates him for feeling that *strong* affection to the *child*, which the assurance that it was his *own* would excite: both which were designed by providence to sweeten the cares, and lighten the labours attending the maintenance and education of children. And equally unjust to the *softer sex* is that marriage, which would appropriate the affection and enjoyment of several wives to *one man*, while he divides his person and affection among *many*. The wife as naturally and reasonably desires to appropriate the person and love of the husband, as the husband those of the wife; and the sickness and uneasinesses attending pregnancy and gestation, the pains of child-birth, and the larger share of tender anxiety, cares, and labours, which falls to the mother's part, during the first years of their common children's life, justly intitle her to the *intire* love of her husband, as her comfort and reward. And, indeed, with-

without this *intire* affection there can be no proper friendship, which makes the happiness of this state. For where men ^b *multiply* wives, they are not considered as *friends*, whose satisfaction and joy we make our own, but merely as the *property* of the husband, and destined to heighten his *sensual* gratification at the expence of their own *happiness*. Add to this the *quarrels* and *hatreds* introduced into the family, designed to be the nursery of the tenderest and strictest affection, by the *jealousies* of the several mothers, and the *opposite* interests of them, and their different children; the torment of which, though it falls in part on the guilty husband, is yet heaviest felt by the injured wives; since to prevent their jarring passions from quite breaking the family in pieces, the *tyrant* husband is under a necessity of reducing to the rank of *slaves* the wives, who had each a natural right to be considered as a *friend*, a partner of the heart and fortune of her husband; and an equal sharer in all

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^b *Ita animus multitudine distrabitur, nullam pro socia ob-
tinet, pariter omnes viles sunt.* Sallust. *de Bello Jugurth.* cap.
lxxx. "The mind distracted by variety, regardeth none
"with a true *social* affection; but all become despicable
"alike." To the same purpose, *Ammian. Marcell. Lib.*
XXIII. Cap. vi. speaking of the *Persians*. *Pro opibus quis-
que adsciscens matrimonia, &c.* "Each engaging in more or
"fewer marriages according to his wealth, by this means,
"their affections being dissipated through a variety of lusts,
"becomes quite benumbed, and insensible, as to the
"friendly and generous part."

the joys as well as sorrows of the marriage state.

Let it be observed further, that *Polygamy* debases to *gross sensuality* and *lust*, a passion designed by the author of nature, under proper regulations, to be refined into the most *sacred* and *endearing* friendship; and the most *generous* love of a family: and thus sinks to a *brute* the man, who was destined, by cultivating and preferring the satisfactions of friendship, parental affection, and extensive benevolence, to rise to a resemblance of the great Father of mankind in goodness: and thus to prepare himself to become divinely happy in a higher state of being.

We cannot better close this argument, than with the words of an excellent ^c writer.

“ Upon the whole, if we consider the infinite evils derived from the practice of *Polygamy*, in all parts of the earth where it obtaineth; upon the *men*, by the *luxury* of some, the *eviration* of others, and the exclusion of infinite numbers from their natural rights: upon the *women*, by the distractions of *envy* and *jealousy*, by *raging appetites* unindulged, by cruel *confinement*, by abject *slavery*, and a seclusion from the noblest rights of nature and society: and upon *both*, by that prostitution and *brutality*, to which great numbers of both

“ are

^c Dr. Delany's Reflexions on Polygamy, 1737. Dissert. vi. page 143.

“ are exposed by it : and lastly, by the ex-
 “ clusion of both from that right and regu-
 “ lar commerce of the sexes, that true so-
 “ cial union of affection and interests,
 “ which God intended, and nature demand-
 “ eth : I say, whoever considereth all these
 “ evils, and abhorreth not Polygamy, the
 “ parent of them all, that man hath a soul
 “ utterly estranged from all social and be-
 “ nevolent affections ; from all true love of
 “ liberty, and reverence of virtue ; and from
 “ all awe, honour, and veneration of the
 “ supreme Being.”

SECTION IV. As to the *Time*, during
 which this union between persons capable of
 answering the ends of marriage is to last, the
 Father of the human race, when he created
 and joined the first pair, determined it to
 be for life, declaring them to be ^d *one flesh* ;
 and the union therefore as indissoluble, as
 between the parts of the same body. And
Reason, without this light from Revelation,
 directs, that the union should last so long at
 least, as is necessary for breeding up and
 educating the children which may be born
 to them. This in the natural course of
 things, is for the *greater* part of remaining
 life. And when to this consideration we
 add, the conjunction of fortunes necessary
 for supporting the family, as well as of per-
 sons

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^d Gen. ii. 24. compared with *Matt.* xix. 5.

sons and affections; that all true friendship naturally desires to be perpetual, to fix a time after which they will cease to be concerned for each other's happiness, being inconsistent with any sincere esteem and friendship; and further, the appropriating nature of this affection, which makes the thoughts of a separation, to the most virtuous and affectionate, worse than death; it will appear evidently unreasonable and unjust, for the man especially to throw off his partner in her decline of life, when less able to provide for her own support and comfort; and for the sake of indulging a wanton appetite, in a new sensual entertainment, to abandon to a heart-eating solitude, the tender and faithful partner of his cares and labours for the good of their common children; and to leave her to a condition at best, much worse accommodated during the last years of life, which want all the consolations and supports of mutual tenderness, and every kind office. Thus to borrow the words of a *writer* just quoted,

“ — the great ingagement to peace and mutual love would be dissolved; all the trust and confidence of the most perfect friendship, would be intirely destroyed; the assurance of consolation in distress, of support in sickness, and society in age, would be taken away from the earth, and the interests

* Reflexions on Polygamy, Dissertat. i. pag. 20.

“terests of families would be torn into ten
“thousand distractions. In short, the evils
“of life, would be infinitely multiplied
“by it, and its greatest blessings infinitely
“impaired.”

Besides, as it is evidently necessary to the
happiness of the marriage society, and the
good of the family while it subsists, that
there should be a firm confidence, a warm
and steady affection, and mutual allowances
for each other's passions, and defects, no-
thing will dispose to this temper, like the
knowledge that the union is for life ; for
this naturally excites to make the best of a
state which cannot be altered, and restrains
persons from indulging to those peevish and
angry resentments, that would fatally alienate
their hearts from one another. And when
to this we add, that in all *Christian* countries,
the parties mutually ^f *promise* to confine
their persons and affections to each other
during their joint lives, it is clear, beyond
all question, that *Polygamy* and *Divorce* are
most *unjust*. If, indeed, either of the con-
tracting parties be guilty of a fundamental
breach of the marriage compact by *adultery*,
our Lord has determined, *Matt.* xix. 9. and
the laws of *Reason*, and of *Nations*, deter-
mine, that the innocent party shall in this
case be at liberty to quit the perfidious part-
ner, and to marry again. And the laws of

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^f See Religion of Nature, Sect. VIII. Numb. xiv.

some countries, particularly of ^z *Bern*, extend this liberty to some other cases, which have been thought either equally criminal, or equally destructive of the great ends of this society : such as *long, wilful, and malicious desertion*, which *St. Paul*, 1 Cor. vii. 15. seems to allow to be a sufficient reason for divorce ; the *commission* of a *capital* crime by either, one of the parties becoming *distracted*, so as to *indanger* the life of the other, and the disorder appearing *incurable, leprosy*, and *deliberately threatening*, to commit *adultery*. But whether the reason of the case will equally extend to all those instances, so as to justify a divorce, may be questioned.

SECTION V. As a *Corollary* from the preceding section, it is easy to infer, the evident *unreasonableness*, and *injustice*, both of *fornication* and *adultery*. *Fornication* sinks into a mere *brutal* commerce, a gratification, which was designed to be the *cement* of a *sacred, generous, and tender* friendship ; leaves the *maintenance* and *education* of children, as to the *father* at least, utterly *unsecured* ; strongly tempts the guilty mother to guard herself from *infamy*, by methods of procuring *abortion*, which not only destroy the *child*, but often the *mother* ; *disqualifies* the deluded creatures to be either *good wives*

^z *Ruchat*. Histoire de Reform. de Suisse, Lib. XVI. Cap. 10.

or *mothers*, in any future marriage; ruining that *modesty* which is the guardian of nuptial happiness, and extinguishing the love of children by predominant lust: than which what can be greater injustice to the *wretches* themselves, to their *parents*, and near *relations*, who deeply suffer in their guilt and misery; and, most of all, to the men who are so unhappy as to marry them, after they have been thus corrupted? While the *libertine* himself in his mad pursuit of *brutal* pleasure, absolutely disqualifies himself for the *best satisfactions*, those of truth, virtue, innocent gratifications, tender friendship, and generous goodness; which are all sacrificed to a base appetite, indulged at the expence of repeated *falsehoods*, *perjuries*, *injustices* without number, and a continued *inhumanity*, insensible as to the evils it creates, and still disposed to multiply them. As for *Adultery*, to express myself in the words of a most judicious^h writer, “*Simple injustice only,*”
“but injustice — accompanied with the
“greatest *cruelty*; so complicated, as scarce
“any other can be. The *husband* is for
“ever robbed of all that pleasure and satisfaction, which arises from the wife’s fidelity and affection to him; presuming upon
“which he took her not only to be the
“partner of his bed, but the companion of
“his life, and sharer in all his fortunes:

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“and

^h *Wollaston’s Religion of Nature*, Sect. VI. Numb. xix.

“ and into the room of them succeed painful and destructive passions. The poor woman herself, though she may be deluded, and not see at present her guilt, and the consequences of it, usually pays dear for her security and want of guard; the husband becoming cold and averse to her, and she full of apprehensions and fears, with a particular dread of his further resentment. And their *affairs* in this disjointed and distracted condition, are neglected; *innocent children* slighted, and left unprovided for, without so much as the comfort of any *certain* relations to pity them, &c.” the husband’s own children deprived, by a spurious brood, of a part of their father’s substance, and all this at the expence of deliberate ingratitude, and perjury. Whoever impartially considers this, must acknowledge the *justice* of the law given by *God* to *Moses*, and of those laws of other nations, which punish this crime with *death*; and wonder, how any who claim to be men of *honour*, can make this wickedness their sport, or glory in committing it.

SECTION VI. The *duties* owing from married persons to each other, may be learned from the nature and design of this society; and from what they mutually promise when they engage in it; namely, an inviolable fidelity, devoting their persons and affections

to each other for life, and preserving them uncorrupt and unalienate—A chearful and hearty concurrence in whatever may promote their mutual happiness, and the good of their children; and in order to this a constant desire and endeavour to please and oblige, a compassionate allowance for infirmities and imperfections, a readiness to do justice to each other's good qualities, a tender sympathy, and forward assistance in sickness, and affliction, and as sensible a joy in their partner's good, and delight in raising it, and making it endure. Add to this, a *deference*, and *submission*, on the *wife's* part to her *husband*, as to the head of the society; so far as is necessary to answer the purposes of the married life. To prevent endless disputes, and preserve the peace of any society, it is necessary, where opinions differ, that some one have a right to determine, and that others be bound to acquiesce. The man being naturally and generally possessed of superior strength and judgment, being charged with the principal care, and labour, and hazard attending the supporting and providing for the family, and his being responsible for all the expences and debts contracted for this purpose; these considerations justify the law of God, and the laws of all countries, in giving superior authority to the man; and consequently oblige the wife to submission. Not but *Reason* ought always to rule; and
if

if the wife offers the *better* reason, it ought to prevail; and the husband cannot reject it without punishing himself. This authority also should be exercised not with *haughtiness* and *arbitrary* humour; but with *complaisance* and *tenderness*; as over one in the main *equal*; who has intrusted her person and fortune, and all her worldly happiness, to the affection and equity of the husband; and devoted her life, all her charms of body and mind, all her soft and sprightly sentiments, all her pleasing powers of improving the agreeable hours of life, and lightening and soothing the anxious and afflicted; and all her prudence, abilities, and fortune, to his satisfaction and happiness; and the good of their common off-spring. Every man of sense and honour will love such a wife as himself; and every woman of sense will delight to honour and oblige such a husband. Without doing his duty, and cultivating and manifesting a superior prudence in pursuing the common good of the family, the man has no reason, or right to expect the esteem, affection, and deference, of the wife; since, as ⁱ Bishop *Fleetwood* justly observes, all duty and obligation, even that which we owe to God himself, is founded either on benefits already received, or with reason expected, from superior wisdom and goodness.

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ⁱ Sermons on Relative Duties.

SECTION VII. A warm and steady affection, and a friendship lasting as life, being the unquestioned duty of the married pair, persons are manifestly obliged, as they cannot love and delight in whom they will, not to contract, for any *mercenary* purposes, marriage with those, to whom they have a *secret aversion*; or for whom they want a *distinguishing* regard and peculiar affection. To accept a considerable premium for undertaking a thing, which at the time we promise to perform it, we know ourselves incapable of doing, is evidently unjust and perfidious. It is also commonly punished by its filling life with perpetual quarrels and uneasinesses; and depriving a person of affection, confidence, delight, and harmony at home, where he most wants them; and where every wise man would most value them: and this to a degree of heart-felt wretchedness, which wealth, or external convenience, or shew, can no way compensate. Did therefore the men strive to recommend themselves by superior knowledge, prudence, and firmness of mind; by integrity, generosity, and goodness of heart; by an ability and application in their several professions, and supporting a honourable and useful character in life; and would the fairer sex generally agree in preferring persons thus qualified—And on the other hand, did they study

study to recommend themselves to the men, by modesty, sweetness, tenderness, well governed passions, and well improved minds; and an ability to manage well family affairs, and a delight in it: did they trust more for pleasing to neatness, gentleness, and virtue, than to the beauties of the body, and the finery of dress; and the men by a proper approbation and choice encourage this taste—And when married, did they seek their happiness more *at home*, in the affection of their husbands, the virtue and improvement of their children, and the prosperity of their families, and were less concerned by trifling accomplishments, and expensive shew, to draw the wonder and attention of the giddy and superficial—the marriage state would recover its original dignity, and married persons enjoy all the happiness which the author of it designed them, the greatest this world knows, and in its nature preparatory to the perfect goodness and felicity of a nobler state of being.

To prevent repeating what has been often said in the best manner on this subject, I will refer the studious of happiness in this relation to the *Tatler*, *Spectator*, and *Guardian*; the authors of which have treated this subject in a manner not easily equalled; and conclude this head with a story borrowed from *Rollin's Roman History*.
“Some ladies of prime quality at Rome,
“finely

“ finely drest, glittering with jewels, and
 “ valuing themselves not a little on these
 “ ornaments, paid a visit to another lady of
 “ the first rank. After having, with the
 “ satisfaction natural to weak minds, displayed their own finery, they earnestly
 “ pressed this lady to give them a sight of
 “ her jewels. She waved a compliance
 “ with their request for some time, till *her*
 “ sons, who were some of the most accomplished youths in *Rome*, and in forming
 “ whose minds she had a large share, were
 “ returned from their exercises; then calling them in, and pointing to them, she
 “ said, *Ladies, these are my jewels; the ornaments upon which I most value myself: and which really do me the greatest honour.*”

SECTION VIII. As to the *persons* who may unite in marriage, the laws of *Revelation*, as well as most *civilized countries*, having made several exceptions of persons, *nearly related by blood*; it is inquired, how far these exceptions appear to be founded in reason? The marriage of *parents* and *children* appears at first view contrary to nature; not merely on account of the disparity of age, but of the confusion which it introduces into natural relations, and its obliging to inconsistent duties: the *mother* to *reverence*

rence and obey her *son*, who naturally owes subjection to her; and the *father* to regard his *daughter* as in a manner his *equal*, who as a *child* owes him so much *reverence* and *subjection*. Nor can the son, nor daughter, acquit themselves of such inconsistent duties, as would arise from this unnatural union: which with what *horror* it has been regarded by *antiquity*, the *tragedies* formed on the *incest* of *Oedipus* sufficiently demonstrate. The marriage of *brothers* and *sisters*, and of some other *near* relations, is likewise disapproved by Reason, on various accounts. It frustrates one design of marriage, which is to *enlarge* benevolence and friendship, by cementing various families in a close alliance—And further, were it allowed, young persons, instead of entering into marriage upon mature consideration, with a settled esteem and friendship, and a proper concern and provision for the support and education of children, would be in danger, (through the *intimacy* and *affection* produced by their near relation, and being bred together) of sliding in their *inconsiderate* years into those *criminal familiarities*, which are most destructive of the great ends of marriage. To prevent this, it is wisely ordered, that they should be taught from their earliest years, to regard their marrying with each other, as contrary to the laws

laws of God and man ; and be thus kept at the greatest distance from all freedoms tending this way. And ^k *most nations* having agreed to brand such marriages as highly criminal, who cannot be supposed to have derived this judgment from *Moses*, and the *Israelites* ; it is most probable, *God* expressly prohibited these marriages, in the *beginning* of mankind, and from the first heads of families the prohibition was transmitted, as a most sacred law to their descendants.

^k *Grotii De Jure Belli & Pacis, Lib. II. Cap. v. Sect. 12.*

The Books proper, among others, to be read on this Chapter, are,

Grotii De Jure Belli et Pacis, Lib. II. Cap. v. Sect. 8—16.

Puffendorf. De Jure Naturæ & Gentium, Lib. VI. Cap. i.

— *De Officio Hominis et Civis, Lib. II. Cap. ii.*

Selden De Jure Naturæ, &c. Lib. V. Cap. i—x.

Hutcheson Philos. Moral. Institutio. compend. Lib. III. Cap. i.

Burnet's

Burnet's Sermons and Homilies, Sermon. xii.

Fleetwood on Relative Duties, Discourse
vii—xiii.

*Nichols's Discourses on the duty of Inferi-
ors*, Discourse iv, v.

Delany's Sermons on Social Duties. Sermon.
ii, iii.

— Reflexions on Polygamy.

Dodwell's Sermons on moral Subjects.

Foster's Discourses, Vol. II. Chap. ii, iii.

Wollaston's Religion of Nature. Sect. VI.
N. xix. & Sect. VIII. N. i—iv.

*Wood's Institution of Imperial and Civil
Law*. Book. I. Cap. ii.

Turnbull's Heineccius, Laws of Nature
and Nations, &c. Lib. II. Cap. ii.

Montesquieu's Spirit of Laws, Book XVI,
XXIII, and XXVI, Chap. viii—xv.

Locke of Government, Book II. Cap. vii.

Milton on Divorce.

Wolfeley on Divorce.

Speſtacle de la Nature, Vol. II. Dial. ii.

Tatler, N°. 7, 49, 69, 75, 79, 150,
159, 199.

Speſtator, N°. 149, 261, 268, 479,
490, 500, 506, 522, 525.

Guardian, N°. 57, 73, 147.

Swift's Cadenus and Vanessa.



CHAPTER XVI.

Of Parental Authority; and of the Duties of Parents and Children, Brethren and Sisters, Masters and Servants.

SECTION I. **M**Arriages being contract-
ed, and children born,
from the *strong affection* which the author
of nature hath planted in the breasts of *pa-*
rents, and from the absolute *necessity* of their
affection, assistance, and bounty, to cherish
the *helpless*, and supply the *necessitous* infants,
committed by God to their care; it appears
to be the *duty of parents to maintain* and
provide for their off-spring, since otherwise
they must perish as soon as born. And
when the children grow *older*, their absolute
need of the parents *prudence* to guide their
unexperienced feet in the paths of safety,
virtue, and good, proves it as plainly to be
the duty of parents, to *instruct* and *educate*
well their children; who will otherwise
worse than perish. For if their *animal* part
alone be taken care of, and their *minds* left

to the sway of uncontrolled *inclinations* and *passions*, and to the influence of bad *examples*, and bad *company*, they will inevitably be hurried down the precipice of vice to utter ruin. The *inability* also of *children*, in their early years, to support, inform, or guide themselves, the unquestionably superior *knowledge* of parents, and *tender concern* for the welfare of those, whose happiness nature makes their own, and their misery the parents torment; and the *obligations* laid on children by *introducing* them into *life*, and by that *long series* of painful labours, anxious and expensive cares, and numberless kind offices, both to the bodies and minds of children, necessary to raise the human creature to a maturity of strength and reason, and to a capacity of acting and providing for itself; all these evidently prove it to be the indispensable *duty* of *children*, readily and faithfully to *conform* to the counsels and commands of their parents; to be *tender* of their persons, their characters, and their peace; to be *grateful* for their disinterested and unmerited kindnesses, to *submit* to their salutary corrections, and by all the expressions of an ingenuous affection and gratitude to manifest a proper sense of their parents benefits, and to requite their love. For what is all this more, than following superior reason, and being grateful for innumerable favours?

When

When indeed children arrive at that age, wherein they become *capable* to judge and act for themselves, both Reason, and the Laws of Nations exempt them from an *implicit* subjection to their parents. Yet even then, the longer experience, and greater prudence of parents, their tried affection, and a remembrance how much they owe them for all they are, possess, or hope to enjoy ; these considerations should influence them in all important cases to consult their parents with great deference, and to study and pursue what is agreeable to them, as far as it may be done consistently with their *other obligations*, and their own *real happiness*. Further, should ages or losses disable parents for supporting themselves, it is then the unquestionable duty of children to *assist* their weakness, *minister* to their wants, *bear* with their infirmities, and by every instance of tenderness and gratitude to *requite* them for all the good they have done, designed, or wished them, from their birth to that time. This is a *general* view of the duties of parents and children, and of the foundations on which they rest ; but it may be of service to take a more *exact* view of some of these.

SECTION II. A distinct survey of the *nature*, and *state*, and *wants*, of children, will fully instruct us in the duty of *parents*. It

has pleased God, in order to *exercise*, and *improve* them in benevolence and compassion, and more strongly to *form young* minds by repeated obligations to gratitude, deference, and an imitation of that disinterested goodness, to which they have been long indebted, to appoint that the *human* off-spring should be much *longer* a charge to their parents, than the *brutes* are to theirs : who by their make, their instincts, and the plentiful provision the earth every where offers them, are much sooner qualified to shift for themselves. The child, as soon as born, wants *food* and *cloaths* ; and being unable to supply itself, claims the assistance of its parents. The *mother* being furnished by the author of nature with a *fountain* of the most pleasing and wholesome nourishment, is thus directed and obliged to *suckle* her child, unless through any peculiar circumstances it be found inconsistent with her own health, or the health of her young one. The exquisite *pleasure* attending this office, with the *heightening* it gives to her *affection* for the child, and her *satisfaction* in it are her *rewards* from the author of nature. As the new-born infant cannot help itself in any degree, all the kind offices necessary to keep it *clean* and *healthful*, are also the parents duties, but the *mother's* especially ; who by her peculiar softness and tenderness of disposition

sition is qualified to perform them with pleasure and advantage.

Sense, inclination, and passion, are in us older than *reason* ; yet ought always to be guided by it: the *parents reason* therefore should regulate the child's animal inclinations and passions, and early accustom them to restraint ; not only to prevent *present* mischief, but to prepare the child for becoming a *moral* agent. The keeping these obedient to the parents reason, while immediately under their tuition, most effectually qualifies the child to regulate them afterwards himself by reason and duty. The human off-spring, though born destitute of *moral knowledge*, is yet soon capable of receiving it; and should therefore be *early* taught to apprehend its *obligations* to the *supreme* parent, the great *importance* of his favour, and the *methods* of securing it. He should also be early instructed in the *obligations* and *instances* of a *kind, compassionate, and equitable* disposition, be *accustomed* to practise them, and be prompted to observe the *beauty* of it in others, and the *odiousness* of the contrary; while nothing contributes equally with a benevolent temper to their own self-joyment; and to gain the esteem and affection of all around them, as well as the approbation of a most benevolent and righteous God, the common father of all.

To set them above the influence of sensual indulgences, and selfish interests, which would tempt them to debauchery or injustice, they should be acquainted as soon as possible with the *dignity* of their *rational* nature, the *immortality* of the soul, and the *noble and divine happiness* of which the human mind is capable, and the everlasting fruition of which they may expect from the unbounded goodness of the great Father of spirits. And as the *Christian Revelation* contains the most complete summary of moral duties, and ascertains all the great and animating motives to practise them, christian parents will take the first opportunities for fixing in their children, upon *rational* grounds, a *belief* of its divine authority, and the most *serious regard* to its instructions and promised blessedness. And if they desire to make the impressions of a good education lasting, *reason, kindness*, and *conviction*, should be preferred before terror, and mere authority; since youth will be glad to rid themselves of these last as soon as possible: whereas the other, especially if enforced by the *example* of the parent, will take still faster hold of them, as their understanding and years advance.

SECTION III. Parents, for the most part, will readily enough of themselves remember, that their children are not only capable
of

of virtue and religion, and designed for immortality, but are to *live* for some time amongst *mortals*, they will therefore, according to the different geniuses of their children, train them up to different *professions* and *arts*; that they may be fitted to act an useful and honourable part in society, and to receive from it in exchange, such supplies, and good offices, as will make life agreeable. This *natural affection* dictates to every parent; and to this *reason* obliges: since the manifest consequence of giving up children to *ignorance* and *idleness*, is their sinking into *contempt*, *poverty*, and *wretchedness*.

It is with justice also expected from parents, that according to their abilities, they furnish their children, when they are grown up, with *materials* for their skill, and industry; and with whatever is necessary to their living with credit and usefulness: for this is no more than they themselves thought it reasonable, that their parents should do for them. While children continue under their immediate inspection, a true affection, as well as prudence, will direct parents to educate them, in a manner *correspondent* to their *rank*, and to the *fortunes* they can give them. To bring them up *above* their rank, being usually preparing them to be *extravagant*, *discontented*, *poor*, and *miserable*: while to educate them much *below*, it will produce

this great inconvenience, that if the children perceive it, their *affection* to their parents will by it be considerably *lessened*; and when they come into the world, and the death of their fathers puts them into possession of an abundance, which they have not been qualified by a proper education, to use and enjoy; they will be tempted, as they think it must be spent in some way or other, to *lavish* it in *useless* expences, or *hurtful* excesses among *mean companions*; who treat them with flattery, and a servile compliance, that they may share their wealth.

SECTION IV. *Natural affection* universally inclines parents to *give* what they die possessed of to their *children*, preferably to others; and as to the reasonableness of this disposal, there is no dispute. But it has been disputed in what *proportions* a father should divide what he leaves; whether *equally* amongst all, as they are all *equally his children*; or, whether in *different* proportions, according to their differing *deserts*. Or, finally, supposing their deserts equal, whether the *firstborn* is to be *preferred*, and to have a *double* or *larger portion*. The laws and customs of diverse nations have determined differently in this affair; though *most* nations have agreed, in greatly distinguishing the *eldest son*. If *nature* and *reason* be consulted, supposing the children alike dutiful and virtuous,

tuous, as they are *alike related*, and *alike deserving*, these seem to direct that they should be *alike favoured* by the common parent. And, supposing there has been a great *disparity* in their behaviour, reason and justice require, that the parent should advantageously distinguish the *best deserving*; both for the encouragement of merit, and for the discountenancing an undutiful, and vicious conduct.

As to the preference given to the *eldest* son, it is easier to shew the *commonness*, than the *reasonableness* of the practice. If indeed a particular *title*, *rank*, or *character*, are by law *intailed* upon the *eldest* son, to support which, a larger fortune is necessary, in this case, there appears a good reason for making a larger provision for him: since, otherwise, his necessarily greater expences considered, he would have in reality *less* than the rest. But where this is not the case, *mere elder-ship* seems to have a just claim to no more, than a *deference* from the younger, answerable to his superior age, experience, and judgment. As to what is urged, that the *law* of God, *Deut. xxi. 15.* confirms this privilege, and allots to the *eldest* son a *double* portion, it may be with justice replied; that the *law* referred to rather *supposes* the privilege to be established by custom, than *determines* as to the right. It only provides, that what the *eldest* son, according to established

blished custom, was allowed to consider as his right, should not be taken from him out of mere *partiality* to the son of a wife, more beloved than the mother of the eldest. For that *ill* behaviour might *forfeit* it, is clear from *Jacob's* depriving *Reuben* of this privilege, and by divine direction transferring it to *Judah* and *Joseph*, *Gen. xlix. 3.* After all it must be owned, that the different *geniuses* of children, the different *professions* to which they are bred, their *sex*, different degrees of *health*, *vigour*, *prudence*, and many other circumstances, leave room for a father, consistently with the most perfect equity, and an impartial affection, to make a difference in his distributions. And to the dictates of natural affection, and of equity, parents must be left, only putting them in mind, that they are accountable to the righteous father of mankind, who is *no respecter of persons*, for their treatment of their children, and his off-spring.

SECTION V. The *duties* of *children* are so easily known from a consideration of their *obligations* to their parents, and from their parents *evident superiority* in prudence, and ability to direct the thoughts and actions of children, that little needs further to be added, by way of explication or proof. Children are, in *some degree*, the *property* of their parents; owing to them, *under God*, besides

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besides the *beginning*, the *continuance* of their lives; the *exercise*, *growth*, and *improvement*, of their powers of body, and mind; and almost *all the good* things they have enjoyed in life. The superior judgment, and tender affection of parents, and their having ordinarily no interest opposite to the good of their children, are things as evident, as the incapacity of children to conduct themselves. They cannot therefore act according to their relation, unless they chearfully *follow* their *better* judgment, imploy what is so much *theirs*, according to their *direction*; and if through their ill behaviour, correction, in the judgment of their parents, is necessary, *submit* to it, though disagreeable, for mending their tempers; as they do to the *physic* given them for their health.

God having *intrusted* parents with their children, has thus given them the necessary *authority*; *veneration* is therefore due to them as to *magistrates*; besides the *deference* owing to persons older and wiser. *Grateful love* also is evidently most due, as to their best friends, their daily unwearied benefactors. This love will dispose them to *dwell* in their thoughts with pleasure, on their parents *good* qualities, and to render them a just *esteem*; will restrain from *spitefully* searching out, or in their imaginations magnifying their *faults*, or publishing them to others; for this is no more than they would expect

expect from any *common* friend, and therefore to be sure is owing from them to persons, whom they ought *most* of all to love. Gratitude and love cannot be sincere, if they do not express themselves in suitable actions, a respectful obliging behaviour, all manner of kind offices, the most ready and generous assistance of their weakness, and supply of their wants, and a zealous defense of their reputation, and the like, are debts most apparently due from children to their parents : who, when they have done all, can seldom, if ever, balance the account of benefits actually received, much less of tender, sollicitous, and disinterested affection ; and of benefits wished and intended them by every good parent.

The ^a *Chinese* are a nation the most eminent for *filial piety* : and if so good a disposition can be carried to an excess, it is among them. The laws of many other nations, as well as the law of God, strongly enforce the practice of this duty ; and the laws of ^b *Athens* in particular, branded with *infamy*, and disqualified for public offices, children who had refused to honour and support their parents. *Xenoph.* De Memorab. Lib. II. Cap. ii. Sect. 13. The single case excepted in relation to a father, who had neglected to breed up his son to some useful art or profession, and

^a *Du Halde's History of China*, Vol. III.

^b *Botter's Ant.* Book I. Chap. xxvi.

and whose son was allowed to neglect him, confirms the obligation of the rest, and points out the good reason upon which they were founded.

SECTION VI. As these are truths too evident to want a laboured proof, we will rather consider a case or two, attended with some difficulty, relating to the *extent* of the *parental* authority, and the *obligation* of the *child* to submit. It is a question often debated,— Whether it be at all lawful for children to *marry without the consent* of the parents? — And whether, should a parent detain what is the child's right, he may, without breach of duty, *sue him at law*? — As to the *first*, it is readily allowed, that parents have *no right to compel* their children to marry persons, whom they do not like, and cannot *heartily love*; since this would be obliging them to sin, by solemnly promising what they can never perform; to be good partners for life to persons, whom they do not greatly love and value; and would be making their children *miserable* for the rest of their days. The main foundation of children's duty to parents, being what they have done to make them *happy*; they can never, on this account, be obliged to obey them, at the expence of making themselves *wretched*; since

since this would make all their parents had done for them no real kindness; and of course would destroy the obligation. Children therefore justly claim a *negative*; but before they exert this right, gratitude to parents, their superior prudence, and tried affection, oblige children to *attend, without prejudice*, to what their parents offer for persuading them to chuse that which they judge for their advantage; to be open to reason, and ready to comply with what is designed for their good, if it can be made appear likely to issue in it.

To determine aright the question,—whether it be at all lawful for children to *marry without the consent* of their parents, the *age* of the children must first be considered. If they have *not* attained that *age*, when the general consent of mankind admits them to transact all common affairs for themselves, it is evident they cannot have a right to make agreements of the most *important* and *lasting* consequence. If they *are* arrived to that age, when law and custom allow them to determine for themselves in every other affair, the case is considerably altered. Yet should it be granted, that the proper *coercive* authority of the parent now ceases; or that the weakness of his judgment, or his subjection to an odd humour, or unreasonable passion, may be so evident, as in some circumstances

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circumstances clearly to justify a young person in pursuing that, which upon the whole appears to him, very likely to make him happy, though it may cross the opinion and direction of a parent: it will in all ordinary cases still hold true; that the obligations from the deference and gratitude due to parents, are so strong, the distresses which they suffer in the imprudent marriages of their children so severe; and it is so *common* for young persons to be *deceived* by their *passions*, even where they are most confident of their being in the right, that they will be very faulty in acting against the persuasion and advice of parents, and doing what will certainly give them great uneasiness, without *clear* and *weighty* reasons: and they should first by repeated consultations with persons of unquestioned prudence and integrity be well assured, that they are not deceived by their passions in what they approve, and would really suffer so much in their happiness by declining the desired match, as to be justified in pursuing contrary to their parents judgment, what they must be presumed really to desire for them, a happy settlement for life. Bishop *Fleetwood* well deserves to be confuted on this question, and some others allied to it, which he judiciously treats in his *Sermons on Relative Duties*.

SECTION VII. Whether it be warrantable to *sue parents at law*, for what they unjustly detain from their children, will be more easily determined. Neither reason, nor the law of any civilized country make children, especially when of age, the *absolute property* of their parents; but allow them to have rights and possessions of their own. Hence it follows, that if a parent detain from a child, qualified to use and enjoy it, what was given him by another, the child may without a crime, demand what is *his own*; and use the assistance of the law to prevail on a parent to do *justice*. But then, considering how much he is indebted to his parents, for their past care and expence about him, if the sum demanded be not *very large*, he should not vex his parents with a law suit to recover it; but balance it with the benefits he has received from them. If the sum, or estate in dispute be of so *great* value, that justice to himself, to a wife, and family, requires him to insist upon it, yet every gentle, and respectful method should *first* be tried, large concessions be made, and the method at last taken to recover it, should be the *least vexatious* and *expensive*. And if a parent's *real* wants urge him to detain, what law and justice give to a child, the child should allow him out of it, what may be a decent support, and a proper requital

quital for past benefits. Thus he will shew, that while he desires *justice* of a parent in one respect, he is himself ready to render it to him in every regard.

It is needless, after this, to prove, that children cannot be obliged to obey their parents, commanding things *contrary* to the *law of God*; because his authority is *supreme*, and they claim under him, and can therefore have no authority against him. Neither are children obliged, in obedience to parents, to violate the *just laws* of their *country*; because *parents* themselves are *bound* to obey these, and cannot rightfully command what is opposite to them. Yet in these cases, to render the non-compliance of children clear of all blame, it is necessary, that they be *really* persuaded that the things commanded are contrary to the laws of God, or of their country; and can assign *probable* reasons for their persuasion: and that it be not pretended by them, merely to countenance their self-will, humour, and obstinacy.

SECTION VIII. A few words will demonstrate the *duties* which *Brethren and Sisters*, owe to one another; and to perform which *natural affection* prompts them. As they in *common* partake of the human nature, they owe the *same* benevolence, equity, tender-

ness, and fidelity, to each other, as they owe to any other persons, with whom they have lived for a considerable time, in an intimate commerce, and in the exchange of friendly offices. And then their *common relation* to the *same* parents, and the *concern*, which they know them naturally to have for the good of *all* their children, oblige each of them, out of gratitude and love to their parents, peculiarly to study and promote one the other's welfare, and to requite their parents affection and kind offices to themselves, by a peculiar affection to all their children. They ought therefore to be *more* studious of one another's happiness, than of any common friends, to bear more and longer with each other's faults, and communicate more liberally, when either is in distress. And even where a vicious or perverse conduct may seem to render them, on *their own* account, unworthy of farther regard and affection; yet we are still to continue our kind concern and offices, out of respect to our *common parents*, who deserve this from us, though the faulty brother, or sister, may not. This reasoning holds, but with less strength, when extended to other relations, who unite in a common parent, or parents, at the distance of two or three descents. The advantages arising from the prevalency of this affection between brothers,

to in

thers, and the methods proper to cultivate or restore it, are well represented by *Socrates* in *Xenophon*. De Memorabil. Lib. II. Cap. iii.

SECTION IX. The relation between *masters* and *servants*, is founded on a *voluntary compact*; wherein the *masters* promise to the *servants* proper *maintenance*, and often *instruction* in their peculiar arts, or *wages*, in consideration of the others services: and the *servants* in return ingage to devote their *time*, *labour*, *skill*, and *attention*, to promote the good and prosperity of their masters. The particular duties of this relation must be determined by the particular stipulations in the contract. In general, *justice* and *fidelity* bind the *master* to make good what he *promises*; and the *natural equality* of mankind, notwithstanding this voluntary subjection for a time, should dispose him to treat those under his command with *equity* and *humanity*, as being *men*, not *beasts*; *servants*, but not *slaves*. And, if they distinguish themselves by zeal, affection, diligence, and fidelity; a *master* ought to distinguish them by the marks of his esteem and kindness. Being placed near him, they are more under his influence, and within his reach to be benefited by him; the law of *benevolence* therefore obliges him, as he hath abilities for it, to improve this opportunity for their real

advantage, *instructing*, *exciting*, and *encouraging* them to *virtue* and *piety*, and *restraining* them from *vice*. And if by the terms of the contracts, his authority extends to *correction*, and *punishment*, and their faulty conduct make these necessary, *prudence*, *justice*, and a *concern* that they may become *honest* and *useful* men, should direct and proportion the punishment, not rash anger; that it may produce, what ought to be one end of all punishments, short of being *capital*, the *reformation* of the offender; and not merely exasperate, and render him desperate in Vice. On the other side, the *Servant*, according to the terms of his agreement, owes his master *diligence* and *fidelity*: when intrusted by him, not himself purloining what is his master's, nor willingly permitting others to wrong him. He must remember, that his time and abilities for work or business, are not *his own*, but *his master's*, during the term for which he has contracted; and cannot therefore justly be spent by him, in *idleness* and *pleasure*. *Submission*, also, when reprov'd, or deservedly corrected; *reverence*, *esteem*, and *affection*, proportioned to the rank, authority, wealth, and kindness of the master, and the like, are evidently reasonable. And in short, each party, considering his relation, circumstances and engagements, should do to the other, whatever in *parallel* circumstances, he would think

think it *reasonable* and *just*, that the other should do to him : remembering that they have both a *master in heaven*, to whom they are accountable; who sees every action, will be the *judge* of the *perfidious*, and the *avenger* of the *oppressed*.

SECTION X. There is another state of *servitude* not founded in *compact*, called *slavery*, which is established in many countries, but abolished among us, as *inconsistent* with *justice* and *natural liberty*. Every man receiving his body and mind, and all the powers of both from *God*, has with them given him by *God*, a *right* to the *free* exercise of them, provided he injures not others; and to *all* the advantages which he can thus procure. It is therefore, manifestly unjust for any others, where persons have not *forfeited* their liberty, to take it from them, and force them to labour, not for their *own* good, but for the *others* convenience and advantage. Where men, by *unjustly* attempting upon the lives or liberties of others, have made a *forfeiture* of their own, it is, I confess, *just* to compel them to serve, at least so long as should make full amends for the injury done, or attempted; and discourage others from like injurious designs. And if nothing short of *perpetual* servitude, will answer these purposes, they may be made slaves for life. With regard to such

persons, the masters have plainly a right to their time and labour, and the like; and the offender *tacitly* consents to slavery, as a less evil than perpetual imprisonment, or death. Nevertheless, in exerting this right, *humanity* and *justice* oblige the master, not to make the slave's life, a *greater evil* to him than death, by hard usage, consuming labours, undeserved and unmerciful punishments; this being manifestly *unjust*, after having granted him life and servitude, as a *favour*: as well as *contrary to humanity*, which condemns our delighting in the miseries of any, or inflicting evil upon them, but where it is necessary for the common good, or for the good of the guilty sufferer.

That *prisoners* taken in *lawful war*, have a right *not* to be treated as *slaves*, is clear from various considerations. It is not generally their *own choice*, that engages them in war; but the *ambition* and *authority* of their *sovereigns*: and in this sense, they can scarcely be said to be guilty of any crime. Or if they are faulty, they suffer enough in the hardships, wounds, and dangers of death, to which they are exposed from those whom they attack; and therefore when they abandon the injurious design, make a proper satisfaction for damages done, and give security for their living peaceably for the future; they should be released, being exchanged

changed for others, or for a moderate ransom. And to these *laws of war, christian* princes, have generally agreed.

Finally, as for the *children* of those who have been *justly enslaved*, that it is *unjust* to treat them as *slaves*, though many *Civilians* have decided in favour of the practice, is clear to unprejudiced reason from this consideration; that *children* are not strictly speaking the *property* of their *parents*; being not their productions, but the *off-spring of God*. Receiving therefore from God their minds and bodies, they receive with them a *natural right* to use and enjoy these, according to the kind intention of their Creator, for their *own* satisfaction and advantage, on condition they hurt not others; that is, they have a natural right to liberty: and having done nothing to forfeit this right, ought to be dismissed free, when they shall have performed such services for the masters of their parents, as may countervail the expence they have been at for their maintenance, and education.

Read on the Subjects of this Chapter.

Xenophon. De Memorabil. Lib. II. Cap. ii,
iii.

Grotii De Jure Belli et Pacis, Lib. II.
Cap. v.

Selden De Jure &c. Lib. VI. Cap. xix.
& Lib. VII. Cap. ii.

Puffendorf. De Jure Naturæ & Gentium,
Lib. VI. Cap. ii, iii.

— *De Officio Hominis et Civis*, Lib.
II. Cap. iii.

Hutcheson Philosoph. moralis Institut.
compend. Lib. III. Cap. ii & iii.

Tillotson's Works, Vol. I. Sermon. xlix—
liv.

Nichols's Duty of Inferiors, Discourse
ii.—iv.

Fleetwood on Relative Duties, Discourse
i—vi.

Clarke's Sermons, Vol. III. Sermon. iv, xv.

Delany's Sermon. on Social Duties, Sermon.
ii.—viii.

Dodwell's Sermon. on Moral Duties, Vol. I.
Sermon. xiv, xvi.

Free's Sermons. Sermon. xi.

Flexman's Sermon. on the Connexion and
Harmony of Religion and Virtue.

Wollaston's Religion of Nature delineated,
Sect. VIII. N. v.

Locke of Government, Book II. Cap. vi.

Wood's Institution of Imperial and Civil
Law. Book I. Cap. ii

Turnbull's Heineccius, on universal Law,
Lib. II. Cap. iii, iv, v.



CHAPTER XVII.

Of the Original and Extent of Government, and the Power of the Magistrate, of the Measures of Submission---and of the Love of our Country.

SECTION I. **T**HE principal duties which fall under *ethical* and *oeconomical* justice having been examined, the method proposed, leads us next to treat of *political*; or of the duties flowing from the combination of mankind, into *larger societies*, bound together by *common laws*, under the direction of the *same magistrates*, or *governors*. We have seen that mankind by nature are *equal*; that each of them receiving their bodies and minds, their rational and active powers, as a free gift from one supreme parent, have, when they arrive at the full use of their reason, a *natural right* to exercise them *uncontrolled*, according to their own best judgment, where-ever they injure not others; and to all the fruits and advantages

tages arising from the best use and application of them. But then, as they are formed for society, and their *natural wants* cannot be supplied, nor their *nobler affections* gratified, nor they consequently attain, out of society, that happiness, for which their most benevolent Creature designed them; it from hence appears to be the will of God, that Men should enter into society, and submit to such regulations and restraints of their natural liberty, as with regard to all, may best answer the great end of their being; that is, their highest improvement and happiness. For men to have continued separated, in the *small* natural societies which every family forms under its common parent, and independent of all others, would by no means have answered the Creator's design of general *security, convenience, and improvement*. We are much better guarded against the violence of injurious invaders, and the various accommodations of life are much better supplied, by great numbers combining to form one whole, and applying themselves each to cultivate particular trades and arts, or to form different instruments, furniture, and the like; and by others of them, who are peculiarly turned for intellectual pleasures and discoveries, pursuing their several geniuses: and then mutually communicating and exchanging the productions of their different labours and studies. How poorly

poorly would the most numerous family be furnished with the conveniencies of life; if they were first to form for themselves the various instruments requisite to produce them; and then, at the expence of many fruitless essays, to learn the skill of making them? The whole of their lives, would be insufficient for this through several generations; and no time be left them for the more elegant arts of life, or for making improvements in natural or moral science: and how easy a prey would they be to a troop of robbers? This proves it to be the will of God, that men should incorporate into larger societies, as evidently, as that a wise and good parent wills the *greatest good* of his children.

SECTION II. Numbers being by such motives as these determined to combine into a *large society*, if they would maintain it, and enjoy the advantages of it, they are under a manifest necessity of *subjecting* themselves to some *common regulations*; and in some instances giving up their *natural rights*. In a *state of nature*, every man is his *own judge*, as to what his rights are, or how he may exert or use them. But since men are liable to be biassed by interest, or passion, which hinder them from being impartial judges in their own case, a number of persons cannot live long together without disputes, which will
grow

grow up into quarrels and slaughters, and the society must be dissolved almost as soon as formed, unless they agree in some common regulations, founded in equity, and the public good ; by which every one may know what his right is, and according to which, in controverted cases, impartial and disinterested persons may satisfactorily determine all questions of this kind.

Further, determinations of right, would signify but little, without a *power to compel obedience* to them, and to *punish* the persons who refuse to acquiesce, and to do justice. Should every person be left to *execute* the sentence passed in his favour, and to be his *own avenger*, fightings, murders, and the dissolution of the society, would be the immediate consequences. Reason therefore directs, that some persons should be vested, by common consent, not only with an *authority to make laws*, and by these to determine all claims ; but with a *power to enforce* the *observance* of them, by *punishing* the disobedient ; and that all private disputes and injuries, should be submitted to their judgment. *Laws* speak the *deliberate* and *impartial reason* of the *whole society* ; and *uninterested Magistrates*, are likely to execute them with fairness. It is therefore every person's interest, to give up his own judgment as to his property, and his right of self-defence, to the regulation of laws and
magi-

magistrates; since in this way the preservation of property, and the safety of every person, is best consulted. There may also be *competitions* of interests between *neighbouring societies*; and *wars* may arise, which will make it necessary, that the *wisdom* and *strength* of the *whole* society, should be united for their common *defense*. Reason therefore teaches all the members of a society, to submit the strength of the whole to the direction of proper persons, to be by them exerted in its defense. Thus the *reason* of the thing, the *consent* of the several members, *express* or *tacit*, and the *authority* of the *Creator*, obliging to what is for the common good, concur to establish *political power*, and to make submission unto it a duty.

“ *Political power*, according to ^a Mr. Locke, is a *right* of making laws with penalties of death, and consequently all less penalties, for the regulating and preserving of property; and of employing the force of the community in the execution of such laws, and in the defense of the commonwealth, from foreign injury: and all this only for the *public good*.”

As all men are by nature equal, it can never be supposed they would freely consent to give up their natural right, and submit to laws, which would sacrifice the properties and enjoyments of the *greatest number*,

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^a Of Government, Book II. Chap. i. Sect. 3.

to the humour, lust, or avarice, of *one*, or a *few*. And as *all* are in common the *children of God*, there can be as little reason to suppose, that he should will to subject any to the will and authority of others, unless for their common good; especially since such rulers, who desire or use power with a contrary view, thus render themselves most unworthy of the favour of God, whom they refuse to imitate in goodness, preferring the resemblance of the *Brute*, or of the *Devil*. Such notions therefore, as

The *right divine* of Kings, to govern *wrong*,
or,

‘Th’ enormous faith of *millions* made for *one* :

which have been made the supporters of tyranny, oppression, slavery, wars, desolations, and evils without number, are tenets as evidently *unreasonable*, as they have been *mischievous*. Whereas *authority*, the great *end* and *measure* of which is the *public good*, is immoveably founded in the *ordinance* of *God*, and the *consent* of the *governed*. For a particular account of the advantages, which attend the resting the magistrate’s authority, on both these foundations, the extent, and limitations of it, I beg leave to refer to Mr. *Grove*’s Essay on this subject, inserted in his

Miscel-

^b Pope’s Essay on Man, Epistle iii. vers. 243.

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Miscellanies, N° xvi, and xvii. Works, Vol.
X. pag 346, 359.

SECTION III. From this brief view of the great purposes, for which men have combined into large societies, and submitted to government; the *duty* of the magistrate appears to be, what ^c *Cicero* describes it. *Est igitur proprium munus magistratus, &c.* "To consider himself as acting for the whole community, and obliged to support its *dignity*, maintain its *laws*, and assign to the people, with justice, their various *rights*, as he would be faithful to the great trust reposed in him." To *ordain* therefore such *laws* as shall best determine, and guard the rights and properties of the whole society, and to administer them with diligence, equity, and impartiality; to *appoint* such *persons* to the various *dignities* and *offices* of the commonwealth, as are best qualified to support and discharge them; to *employ* the *public treasure*, with prudence and frugality for the defense, honour, and prosperity of the state; to engage in no *wars*, but what are evidently *necessary* for maintaining its well-being, or important rights, and to bring them to the speediest issue consistent with these purposes; and in short, to *extend equally* their protection, favours, and encouragements, to all good subjects: these
are

^c De Officiis, Lib. I. Cap. xxxiv.

are as evidently the duties of the governing powers, as it is evident, that the common good is the great end, for which God wills that men should form large societies, and for the sake of which, men themselves subject their persons, fortunes, and liberties, to the regulation of laws, and the power of magistrates. On the other hand, chearfully to *obey laws*, made by a proper authority, and directed to the general advantage; and to *contribute* each his *proportion*, for supporting the government, and defending the state; and even on a necessary occasion, to hazard their *lives* for their country; to treat *Governors* with due *respect*, according to their different rank, to be *tender* of their *characters*, to make all reasonable *allowance* for human infirmity, and mistake, and do *justice* to their honest endeavours, to serve the public; to *submit* to their determinations, when conformable to law and justice; and even in cases of *private* oppression and injustice, if legal methods of redress prove insufficient, quietly to bear the wrong, rather than strive to right ourselves by sedition and intestine war, and violence: these, and the like, are plainly duties owing from every subject, to the supreme powers, and to the community, of which he is a member; since the practice of them is manifestly necessary to the public good and prosperity. As far indeed as the Magistrate employs the
power

power trusted to him, not for the public good, but injury ; assumes powers contrary to the laws, or beyond them ; so far it is *force* and not *authority* ; and, in himself considered, he has no more right to be obeyed, than a *Constable* acting out of his *division*, or a *Mayor* beyond the limits of his *corporation* : though a regard to the public good will even here oblige private persons to submit to the superior magistrates. But where the *violation* of the *laws* is in *fundamental* instances, the *oppression* general, and it is the apparent design of persons in power, as it was of the late King *James*, to *overturn the constitution*, and to subject the liberties, fortunes, and lives, of a nation, to their avarice, ambition, and other licentious passions ; in such cases as these, rulers are no longer *Magistrates*, but *tyrants*, and *robbers* ; having wholly violated their trust, and gone contrary to the great ends of their institution, they may be as rightfully *resisted* by the people as any *foreign* invaders : and a righteous and good God, who wills the welfare of his creatures, not that it should be sacrificed to the unreasonable passions of a few wicked, perfidious, and tyrannical persons, wills and approves such a resistance from the people, as is necessary to restore, and maintain the public liberty, safety, and prosperity ; not only for the present, but for following generations. *Salus populi suprema*

lex est, is a maxim authorised by the wisdom, justice, and goodness of God, and by the reason of all mankind. To treat distinctly of the *extent* of the Civil Power, and of the *measures* of submission, would require a volume; and we must therefore refer to those authors, who have at large considered these important subjects.

SECTION IV. There is indeed *one question* relating to this subject, which on account of its peculiar importance, we shall briefly consider; what *power* can reasonably be allowed to the *Magistrate* in matters of mere *conscience* and *religion*? Every reasonable being, by his rational nature, and by his dependence upon God for every thing, is obliged to worship, and obey him, and to endeavour to acquire his favour. The obligation is indispensable; and every one therefore has an unalienable right to seek the favour of God, and the happiness flowing from it, by the practice of what he judges necessary to please God; and no man can have a right to hinder him, if in doing this, he injures not others. To make our worship and obedience acceptable unto God, it must proceed from an *inward conviction*, that what we do in religion is required by God, and agreeable to him; and to practise any thing as religion out of deference to human authority, which we believe *not* acceptable

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ceptable to God, instead of qualifying us for his favour, must render us offensive to God ; as it manifests, that we regard men more than we do him. No magistrate therefore can have a right to compel any person to religious professions or practices, which he does not inwardly approve ; because it is compelling him to disobey God, and to put himself out of his favour. *Absolute Toleration* therefore, and a *general Liberty of Conscience*, where persons violate not the rights of others, and propagate no doctrines destructive to society, are the unalienable right of all ; and the generous declaration of the ^d Bishop of *Bristol*, is undoubtedly true. “ A *religious Establishment*, without a *Toleration* of such as think they cannot in conscience conform to it, is itself a *general Tyranny* ; because it claims absolute power over conscience, and would soon beget particular kinds of tyranny of the worst sort ; tyranny over the mind, and various superstitions, after the way should be paved for them ; as it soon must, by ignorance.”

SECTION V. On the other hand, it is urged, that the *belief* of some *doctrines*, and the *practice* of some rites of worship, and the publicly recommending by persons qualified for it, the common principles, and al-

F f 2

lowed

^d Bishop *Butler's* Sermon before the Lords, *June 11,* 1747.

lowed duties of natural Religion and Morality, are beyond question a great benefit to the public; being one of the most effectual methods to promote and establish the religion, virtue, peace, and prosperity of a people; and the magistrate who is intrusted with the care of the public, must have a power to encourage what has so manifest a tendency to the good of a people; and may therefore apply a fitting proportion of the national treasure, to the support and encouragement of persons, devoted to these studies and labours, and qualified to perform the offices of public worship, and instruction: since this is no more than a power to do what is manifestly for the common good. And perhaps such a power may with reason be granted, when no more than a just proportion of the public revenue is taken, and when this is applied, not to the spreading doctrines and practices of a doubtful nature, and of no immediate good influence on the virtue and happiness of a nation; but only to recommend the great and plain principles and rules of Religion and Virtue, which are admitted by all sober and considerate persons. And as *Christianity* is the only scheme of religion, which contains a *pure, complete, and well-connected* summary of these principles and duties, a government upon the sole principle of *public utility* may be justified in establishing it. But, in other cases

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cases it appears unnecessary, and therefore unjust, to take part of a man's property from him, and apply it against his consent, to the countenancing or spreading religious doctrines or practices, which he does not approve, and which have no evident connexion with the virtue, peace, and prosperity, of civil society. For the full discussion of this question, you may consult the authors mentioned in the close of this chapter.

SECTION VI. If it be inquired, which among the various *forms of government* is to be *preferred*, where a people are at liberty to chuse? We have the satisfaction of being able to observe, that the form under which we live, has been preferred by the greatest politicians of *antiquity*, *Aristotle*, *Polybius*, and *Cicero*, as well as by the most judicious *moderns*, on account of the following advantages. By the constant influence of the *people's Representatives*, their liberty is as effectually secured as in a *Republic*; they are guarded against laws, which would be oppressive to the main body of a nation; and have a power to propose, and introduce such laws, as shall best promote the general good. By the *balance* of an *hereditary Nobility*, those continual struggles for power between King and People are prevented, which generally issue in Civil Wars, or Tyranny:

And by vesting the *executive power*, and the right of making *war and peace* in the *Crown*, provision is made for a steady and moderate execution of the laws, and for uniting and exerting seasonably, and with vigour, the strength of the nation, for its defense, in all times of danger; and for improving every favourable opportunity of promoting the public advantage: while by reserving to the people, the power of *levying taxes*, and *raising money*, and subjecting all *ministers of state*, and *military commanders*, to a parliamentary inquiry and judgment, our constitution provides, that the great power, intrusted with the crown for the good of the nation, shall not be employed to its injury and destruction. In some other kingdoms, as *Poland*, the *nobility* and *gentry* alone are *free*, but the *common people* *slaves*; whereas with us, equitable laws alike secure the liberty and properties of the noblemen and the peasant; and the privilege of *Juries* is a strong bar against the perversion and misapplication of equitable laws, in favour of the rich and powerful. The mischiefs, on the contrary, produced by arbitrary power, and it's fatal tendency to corrupt Princes, well-disposed to be the fathers of the people, may be learned from the history of *Muley Ishmael*, late Emperor of *Morocco*, given us by Mr. *Addison*; from Lord *Molesworth's Account* of

* Freeholder, N^o 10.

of *Denmark*, or *Bishop Robinson's* of *Sweden*; and from the most wretched case of *Ireland*, when subject to the arbitrary power of *King James the second*, as it is represented by *Archbishop King*: not to inlarge on the disadvantageous change made in *France*, *Spain*, &c. where, since arbitrary power has prevailed, the lives and fortunes of millions have been continually sacrificed to the *pride*, and *ambition* of their *Princes*. In *France* alone, if I remember aright, according to the computation of the *Abbè St. Pierre*, above *two millions* of *lives*, and a *hundred millions* of *treasure*, were lavished in unnecessary wars under the ministries of *Richlieu* and *Mazarine*. To value therefore our *liberties* and *privileges*, as *Englishmen*, to be *grateful* and *loyal* to princes, under whom they are secure, and *watchful* against those who would introduce the worst of *slaveries civil* and *religious*, and upon occasion chearfully to expose our lives in order to preserve the blessings of a free and protestant government, and transmit them to posterity, will be readily acknowledged to be duties incumbent on every good *Englishman*, and *Lover* of his *country*.

SECTION VII. Having mentioned this noble affection, the *love of our country*, I would close this chapter with a few observations on its excellence. As a *moral virtue*, it is well

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 defined by † Mr. *Addison*; “ A fixed dispo-
 “ sition of mind, to promote the safety,
 “ welfare, and reputation of the communi-
 “ ty in which we are born; and of the con-
 “ stitution under which we are protected.”
 This affection can flourish only among a *free*
people; under an arbitrary government there
 being no *fixed common interest*; but the plea-
 sure, interest, and power of the prince, be-
 ing frequently substituted in its room. It
 is remarkable therefore, that among the
French, who have lost their liberties, the
 very phrase is grown into disuse; and the
glory of the grand monarch succeeds in its
 place, as the incentive to great and hazard-
 ous actions. The late ‡ *French King* could
 not bear the sound of the phrase, the *good*
of the state; and only *his glory, his interest*,
 must be consulted and regarded. Among
 the *Romans*, this noble passion was carried to
 a most mischievous *excess*, through their
 being taught to build the greatness and glo-
 ry of their country on the ruin and slavery
 of others states; and thus becoming a dan-
 gerous combination against the rest of man-
 kind. The real happiness, and glory of any
 people can never be solidly founded on vio-
 lence and injustice; which must make all
 the rest of mankind their enemies. Nor
 are we ever to forget that we are citizens of
 the

† Freeholder, N^o. 5.

‡ See late Lord *Bolingbroke's* Patriot King, Letter I.

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the world, under the administration of one almighty Father, and most righteous governor; as well as members of a particular state: and are therefore obliged never to violate the common rights of mankind, as we value the favour of the great guardian and judge of all. Within these limitations, the love of our country is a noble virtue, to which nature prompts us. The strength of it, as an instinctive affection, is no where more visible, than among the *Swiss* soldiers, when absent from their country; in whom it often turns to a fatal disease, if it is not gratified by a permission to return to it. And it is an affection as *reasonable* as it is *natural*, since as ^h Mr. *Addison* justly observes, “ It inclines us to be beneficial to
“ those who are, and ought to be dearer
“ to us than any others. It takes in our
“ families, relations, friends, and acquaintance; and in short, all whose welfare and
“ security, we are obliged to consult more
“ than that of those, who are strangers to
“ us. For this reason, it is the most sublime, and extensive of all social virtues;
“ especially if we consider, that it does not
“ only promote the well-being of those
“ who are our contemporaries, but likewise
“ their children, and their posterity—Farther, though there is a benevolence due
“ to all mankind, none can question but a
“ *super-*

^h Freeholder, N^o. 5;

“ superior degree of it is to be paid to a fa-
 “ ther, a wife, or a child. In the same
 “ manner, though our love should reach to
 “ the whole species, a greater proportion
 “ of it should exert itself towards that com-
 “ munity in which providence has placed
 “ us. This is our proper sphere of action,
 “ the province allotted us for the exercise
 “ of all our civil virtues; and in which
 “ alone we have opportunities of expressing
 “ our good will to mankind.”

To pursue therefore our private interests
 in *subordination* to the good of our country,
 to be *examples* in it of virtue, and obedience
 to the laws, to *choose* such *representatives*, as
 we apprehend to be the best friends to its
 constitution, and liberties; and if we have
 the power, to *promote* such *laws*, as may im-
 prove and perfect it: readily to embrace
 every opportunity for advancing its *prosperi-*
ty, chearfully to contribute to its *defense* and
support; and, if need be, to *die* for it:
 these are among the duties, which every
 man, who has the happiness to be a mem-
 ber of our *free* and *protestant* constitution,
 owes to his country. I will close the chap-
 ter with a noble passage of *Cicero*, without
 translating it, because it is in effect transla-
 ted in the above cited passage, from Mr. *Ad-*
dison. *Omnium societatum nulla est gravior,*
nulla carior, quam ea quæ cum republica est
unicuique nostrum. Cari sunt parentes, cari
liberi,

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liberi, propinqui, familiares ; sed omnes omnium caritates Patria una complectitur : pro qua quis bonus dubitet mortem oppetere, si ei sit profuturus.

Consult on the copious Subjects of this Chapter.

Platonis Crito.

Grotii De Jure Belli & Pacis, Lib. I.

Cap. iii. Sect. 7—10. Cap. iv.

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vii & viii, and Supplement.

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Lord Barrington's Rights of Protestant Dissenters, and Interest of *England*.

Rogers's Vindicat. of the Civil Establishment of Religion.

Chandler's Remarks on Dr. *Rogers's* Vindication, in the Preface to the History of Persecution.

Warburton's Alliance between Church and State.

Fleming's Comment on Mr. *Warburton's* Alliance.

Johnson of Resistance, and Defense of the Revolution.

Watts's Essay on Civil Power in Things sacred, Works, Vol. VI. page 135—
176.

Addison's Freeholder, N^o 5, 10, 18, 43,
54.

Old Whig.

CHAP.



CHAPTER XVIII.

*Of Universal Benevolence, Charity
and Mercy; and of the Forgiveness,
and Love of Enemies,*

SECTION I. **T**HE duties which others may claim of us by a *perfect right*, or of *justice*, being explained, and the obligation to practise them evinced, we advance to those which are bound upon us by what is called an *imperfect right*: such are the dispositions and offices of *benevolence* and *compassion*. Our *nature*, *circumstances*, and the *will* of our *Creator*, as truly oblige us to these, as to the duties of *strict justice*; but then as we are at liberty to chuse among the numerous objects of these affections, the persons whom we think the best deserving, not being able to do good to all, particular objects of charity, have not a claim of *right* upon us, so as legally to demand it; or to be able to charge us with *injustice* or *inhumanity* for not relieving them: though perhaps we may, in such cases, have reason to
blame

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Turnbull's Heinecius, &c. Book II. Chap.
vii & viii, and Supplement.

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blame

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blame ourselves, for having been defective in benevolence and compassion. The disposition, which leads to the practice of all the duties that fall under this class, is called *universal benevolence*; and may be thus described. A hearty desire of the good of mankind, evidencing itself as we have ability and opportunity, in the chearful and diligent practice of whatever may promote the well-being of all. The object of this affection is the common good, as far as we are capable of contributing to it; the fruits of it are the communicating good, relieving under evil, preventing or removing it, as far as it may be done consistently with justice, and our other obligations. The person possessed of this noble disposition, makes the cares and labours of his superiors easy to them by a grateful respect, a dutiful submission, and a ready concurrence, according to his station, for promoting their good designs. A modest, yielding, obliging temper, makes his conversation a pleasure, and benefit to his equals; and an affable, condescending, compassionate behaviour to inferiors, makes dependence, and subjection easy; and his superior prudence, wealth, or power, their advantage. He readily informs the ignorant, encourages the well disposed, and kindly admonishes the thoughtless; instructs with patience, and reproves with gentleness.

The

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The principal instances of this benevolent temper, when exerted by persons of superior wisdom, wealth, and power, cannot be better described, than they are in one of the most antient poems in the world, the book of *Job*, Chap. xxix. 11—17. where that excellent man, for his vindication against an unjust accusation, thus represents his former conduct.

*" When the ear heard me, then it blessed me ;
" and when the eye saw me, it gave witness to
" me : because I delivered the poor that cried,
" the fatherless, and him who had none to help
" him. The blessing of him who was ready to
" perish, came upon me : and I caused the wi-
" dow's heart to sing for joy. I put on righte-
" ousness, and it clothed me : my judgment was
" as a robe, and a diadem. I was eyes
" to the blind, and feet was I to the lame. I
" was a father to the poor : and the cause
" which I knew not, I searched out. And I
" brake the jaws of the wicked, and plucked the
" spoil out of his teeth." And then making
his appeal to God *, *" If I have with-held
" the poor from their desire, or have caused
" the eyes of the widow to fail : or have eaten
" my morsel myself alone, and the fatherless
" hath not eaten thereof : — If I have seen any
" perish for want of clothing, or any poor with-
" out a covering : if his loins have not blessed
" me, and he were not warmed with the fleece
" of my sheep :"* — then let evil overtake me.*

Further,

* Chap. xxxi. 16, 17, 19, 20.

Further, as mankind are not only *frail* and *necessitous*, and capable of being benefited by each other, but too often *foolish*, *rash*, *injurious*, *ungrateful*, and the like, benevolence must not only excite us to communicate good to the *well-disposed*, but to bear with the follies and vices of others, to make every equitable allowance, to surmount difficulty, opposition, and ill treatment, in pursuing the generous design of their welfare, being *slow* to anger, ready to forgive, and nobly overcoming evil with good.

SECTION II. That it is the *will* of our most benevolent *Creator*, that we should cultivate, and exert this most beneficial disposition, may be easily proved. The ^a *moral sense* with which he hath endowed all, strongly recommends this temper, which is the immediate object of it. As we have naturally a *sense* of *external corporeal beauty*, which determines us to *admire*, and be pleased with some forms, and to be displeased with others, *antecedently* to any reasonings of ours, on the superior *convenience*, or *healthfulness* of the beautiful; we are alike formed with regard to *moral characters*. *Antecedently* to our reasoning about these, on their being first presented to our minds, we approve and

^a See *Hutcheson's Inquiry into the Original of our Ideas of Beauty, &c.* Treat. II, Sect. i.

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and are delighted with a *grateful*, *generous*, or *kind* action and character, when we see either in real life, or in description; and are displeased with the contrary. We are strongly disposed to esteem a *benefactor*, and approve ourselves highly, when we have handsomely requited a kindness; and inwardly condemn ourselves as much, if we have wilfully neglected it. That this, in numberless cases, proceeds from a natural *instinct*, and differs in kind from the impression made by our *reason*, after a close consideration of the relations of persons, and fitness of things, appears from hence; that the impression is *deepest* from the *first* view, is *strongest* felt by *youth*, by the *tenderer* sex, and by the *plainer* sort of people, who use least reflexion. And then if we consult the *deliberate reason* of our minds, we shall find it concurring to recommend this same excellent temper, this love to all our kind.

As all men are alike rational agents, capable of *virtue* and *happiness*, the same considerations which make the happiness of one man, to be the object of our rational desire and pursuit, make the happiness of all to be so, and in a greater degree. Are some men, *as men*, objects of my benevolence, and kind affections? The same common nature and capacities for happiness, the same common wants and evils, render the rest also objects of this kind affection, and generous

concern. If it be a right affection, a reasonable action, and a conduct worthy of approbation, to wish and to make one man happy, it must be alike right and reasonable, nay, much more so, to wish and to make great numbers happy. The more extensive our benevolence and kind actions, the more excellent and justly approved our temper and conduct. If when reduced to want or misery, I think it reasonable that another who is able, should compassionate and relieve me; and justly condemn him if he refuse; must I not unavoidably judge it to be as reasonable for me to compassionate, and, when able, to relieve another in like circumstances of distress? To this *joint* influence of our *moral sense*, and of our *reason*, we owe it, that we *naturally* and *constantly* approve ourselves, or others, in proportion as this excellent temper prevails.

In reading even the histories of ages long past, of remote countries, or fictitious characters, who is there but, upon the first view, immediately *approves* and *admires* the generous, grateful, and compassionate? sympathizes with them in their distresses, earnestly wishes their success, is grieved when they sink under evils, and greatly delighted when they rise above them? And, on the other hand, who but detests the treacherous, the ungrateful, the malicious and cruel, though the most artful, brave, and prosperous? If
this

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this then be the natural judgment of every mind, uncorrupted by vicious education or practice, is it not most clear that *God* the author of nature, hath thus recommended benevolence to all? If we find ourselves formed by nature, to approve some dispositions and actions, and to condemn others; and our most exact reflexions afterwards confirm this instinctive approbation or dislike, is it not evident that the author of nature himself approves, what he hath thus taught us to approve? and would have us to cultivate an universal kindness and good will, and pursue in our whole conduct, the dictates of this generous affection, which we necessarily approve?

SECTION III. If then from our *reason* we proceed to consult our *affections*, we shall find the author of our frame, prompting us by these to exert an universal benevolence. May we not appeal to every man's bosom, whether he does not feel himself turned to desire the happiness of his whole kind, and to delight in it? Whether the *miseries* of his fellow men, when he beholds or considers them, do not affect him with a tender sympathy, and excite a desire to remove them? And whether their universal prosperity and happiness, does not appear the most desirable event imaginable? Can we imagine any thing more to be wished, than to

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see all mankind wise, and good, and happy? possessed of all those satisfactions, for which their nature capacitates them, and secured against all the evils, to which they are incident? If this then naturally appears to us an event the most desirable, is it not the voice of the author of nature, that we should indulge, and by proper reflexions, cherish this amiable affection, be well disposed towards all, and do what we can to make all happy? by instructing the ignorant, reclaiming the vicious, animating the virtuously inclined, comforting the dejected, supplying the necessitous, delivering the oppressed, restoring health, and ease to the sick or pained, or alleviating their sufferings; and by forwarding their virtue and happiness, who are prosperously advancing in this course?

If then want, or grief, or misery distressing others, naturally give us pain, and our removing these, the most exquisite pleasure; and nothing but the apprehension of great *injuries* received, or of a *wicked, mischievous*, disposition in the sufferer, can reconcile us to the sight of his anguish, or prevent our feeling for him, and being in some degree, unhappy in his wickedness: And if we feel our *indignation* naturally rise against *unjust, treacherous, and cruel* dealings with others; and are highly *delighted* when we see the *innocent and abused* recover their rights, and triumph

triumph over their oppressors; can we doubt whether this be the voice of our Maker, recommending to us, universal benevolence and compassion? The inclination to *food*, and the pain of *hunger*, are allowed to be intimations, that the author of nature would have us take food to support life, and prevent the bad effects of continued fasting. And surely the natural dispositions in us, to compassionate and relieve the wretched, and to rise up against the cruel and oppressive, are as plain intimations, that God would have us abstain from what would make others unhappy, and practise what would relieve their sufferings. *Tyrants*, who by mistaken notions of interest, the lust of power, or the dread of conspiracies, are pushed on to condemn those, whom they suspect, or hate unjustly, to tortures and death, cannot ordinarily so far divest themselves of humanity, as to behold *unmoved*, their agonies. ^b “ Yea, *Alexander* the tyrant of *Pheræa*, who had never wept over any of those murders, he had caused among his own citizens, *wept* when he saw a *Tragedy* but acted upon the Theatre. The reason was, his *attention* was caught here, and he *more* observed the sufferings of *Hecuba* and *Andromache*, than ever he had those of the *Pheræans*, and more *impartially*; being no otherwise concern-

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^b *Wollaston's Religion of Nature*, Sect. VI. n. xvii.

“ ed in them but as a common spectator.”
 In opposition therefore to our benevolent affections, to make others causelessly miserable, is as *unnatural*, as in opposition to self-love, to make ourselves wretched.

SECTION IV. Our *numerous wants*, and our insufficiency alone to supply them, our *mutual dependence* therefore, and need of each others kind affections, and good offices, in order to our supporting and injoying life, these also manifest our obligations to practise the benevolence and friendly actions, which we desire and want ; and without doing which, we can neither *deserve*, or *expect* to find others benevolent and assisting to us. Were every person, even when grown up, left to provide himself his own habitation, clothes, food, and furniture, how forrily would he be accommodated ? And suppose him to be in the best manner accommodated with all these, but secluded from the gratifications of the *social* affections, of doing and receiving kindnesses, of deserving the esteem and love of others, and rejoicing in them, how low would be his injoyment ! how insipid life ! If others then want our good offices, as we do theirs, it is plainly reasonable, that as we expect *theirs*, we should render *ours*. Should we be long disposed to concern ourselves for the welfare of those, who manifested an utter unconcernedness

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cernedness for ours ; or to confer benefits on those, who neglected to acknowledge, or return them ? And can we expect they will be otherwise affected with regard to us, if we are wholly *selfish* ? Would we have servants ready and affectionate, our companions complaisant, respectful, and benevolent, and our near relations, and more intimate associates, greatly delighted in our prosperity, tenderly sympathizing with our distresses, ready to good offices, and full of esteem ? And do they, who have all around them thus disposed in their favour, enjoy some of the most exquisite and valuable satisfactions of life ? And does not this evidently oblige us to cultivate that *modest*, *mild*, and *generous* disposition, which according to the constitution of human nature, can alone deserve and engage the esteem and love of those who know us ?

And to close the proof ; the narrow limits set by nature to *sensual* and *selfish* gratifications, and the mischievous consequences of giving ourselves up to these, and exceeding in them ; when on the contrary, our *inward satisfaction*, and *real happiness* increase, in proportion as we increase in *kindness* and *beneficence* ; this proves the obligation to cultivate this temper, to be as natural and necessary, as the rational desire of being happy. What constitution of body or mind, what estate, what reputation, did a prudent

and active benevolence, and charity, ever impair or injure? While innumerable are the instances of persons, who have ruined the health and vigour of their minds, and bodies, and sunk their characters and fortunes, by pursuing and indulging sensual and selfish gratifications, as their only happiness. We every day see health, fame, the most valuable pleasures, and even life, sacrificed to the vain pursuit of full satisfaction, and continual self-injoyment, in this way. While then the cold and comfortless state of mind, in the narrow and selfish, and the mischiefs of exceeding in sensual indulgences, stop our chase of happiness in these paths; the constitution of nature, which causes our own private share of happiness in conscious goodness, the assured favour of the best of Beings, and the love of others still to grow, in proportion to the increase of our benevolent affections, and kind offices; this constitution proves, that the most extensive benevolence, is the indispensable *duty*, and greatest *wisdom* of all. What satisfactions can compare with those of a truly good man, when he looks within, and finds prevailing there that temper, which he and all men most approve? when he feels and knows himself like the most amiable and benevolent of Beings, and is from hence assured, even to a degree of transport, of his peculiar favour and approbation?

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can with a firm confidence trust all the concerns of this mortal life to his care, and with a most sublime joy think of soon quitting this scene of imperfection, and entering a state, where all is perfect goodness and unmixed happiness; where vice, pain, want, and misery, will be known no more; where he shall see all he converses with happy, and their happiness still rising with his wishes and friendly offices; and where he is assured he himself shall be peculiarly blessed, according to the nearness of his resemblance in benignity to the supreme perfection!

SECTION. V. The chief instances of this temper, the excellence and obligation of which we have proved, were just hinted in the first section; and may be easily deduced by every one who will consider, what way of acting in the various circumstances of human life will most gratify it, and best promote the general good. We shall not therefore enlarge on them, but content ourselves with taking particular notice of *two* or *three*, which are either less observed, more important, or more disputed. It is *objected* by some, that the *love of God* ought to be the *commanding* affection; if any then profess or practise a *false Religion*, are we not obliged by love to God, rather to *hate* and *reject* such, than to love them? I answer, no —
for

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for if there be an *honest* mind, and a *pre-
vailing concern* to please and honour God,
though they mistake in the methods of doing
this, God, who sees the good intention,
will accept it, and overlook mistakes, into
which human frailty, bad education, early
prejudices and the like, may have betrayed
them. And whom God approves and loves,
we should for his sake, and even because we
love him.

We who are so confident of being in the
right are liable to mistakes, and upon re-
flexion must have discovered many errors,
which mingled themselves with our former
religious sentiments and practices; yet if we
were then conscious to a *sincere* intention,
we think we had a right, notwithstanding
involuntary errors, to the esteem and good
will of mankind, as well as to merciful al-
lowances from God. And if we now truly
love God, and desire the advancement of
real religion, we should treat the erroneous
with candor and humanity; since this will
dispose them to hearken unto reason, and
embrace the truth, and is the most promi-
sing method to advance the honour of God,
by the spreading of true Religion; as well
as to confer on the persons themselves the
most solid and lasting benefit. As we are
all liable to err, and *infallibility* is a privi-
lege above the pretensions of mortals; a pre-
vailing love of truth and goodness, and the
practice

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practice of whatever after a fair inquiry we judge pleasing to God, are all that can be expected; these qualify persons to be esteemed and beloved by each other, and recommend them certainly to the approbation of God; and therefore notwithstanding great *mistakes* should still ingage our esteem and affection.

SECTION VI. But granting that we are to love and befriend the honest and well-meaning, though they oppose what we judge to be truth, and profess and practise a false religion, yet surely wicked men are not to be the objects of our love. For the same reason that we love God and goodness, we are to manifest a displeasure against them, and refuse them our kindness, lest it should *incourage* them in their *vices*, and *induce* others to imitate them. — I answer, it is granted we can only esteem and love others, as possessed of the social affections and of moral goodness, or as capable of possessing them. And the higher the degrees are in which the social affections and true virtue prevail in them, the tenderer should be our love, and the more raised our esteem, and the stronger our concern for their happiness. — That *impiety*, *injustice*, *inhumanity*, *perfidiousness*, and *debauchery*, are just objects of our *dislike* and *abhorrence*; yet while we *bate* the *vice*, we may *pity*, and *wish well* to the

460 *Of Universal Benevolence, &c.* PART II.
the *vicious*; and even from an aversion to his vices, and a strong concern to free him from their power.

There are few vicious persons *totally* abandoned to wickedness, and destitute of all good qualities; there are various instances therefore of respect and kindness due to their remaining good qualities. And as we ought not to conclude any one on this side the grave to be *incorrigibly* wicked, since there have been instances of persons, who have gone very far in wickedness, and who have yet been *reclaimed*; such persons are still objects of our benevolent concern, and of all those friendly acts, which may be likely means of reclaiming them. And in the mean time the *wretchedness* of their condition is fit to excite our *pity*, since they are at present lost to the most valuable satisfactions of life, and in great danger of utterly losing the proper happiness of reasonable and immortal beings.

It is granted, we are not to make such persons our chosen *friends* and *companions*; that in acts of esteem, kindness, and generosity, we are greatly to distinguish and prefer the virtuous and pious; that we are not by an undiscerning bounty to *feed* the *vices* of any; and should rather, for instance, imploy the poor, than support them in idleness; nor are we by a false pity to screen the vicious from those corrections and afflictions,

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tions, which are necessary either to *reform* them, to *restrain* others from imitating their vices, or to *secure* the peace of society and the good of the virtuous. But within these regulations, a love of virtue, an abhorrence of their vices, in conjunction with true benevolence, will dispose us kindly to advise and admonish them, to relieve their extreme necessities, to pity and alleviate their sufferings, to do justice to any good qualities which yet remain in them; and thus to endeavour, while there is hope, to prevail on them to return to the paths of virtue and happiness. Punishments should aim at the good of the offender, while there is any hope; when his case grows desperate, the good of society must indeed be consulted, though at the expence of his ruin.

SECTION VII. But if *wicked men* in general may still be the objects of benevolence and compassion, yet surely *wickedness* with particular *ill-will*, and productive of *great injuries* to *us*, may fully release us from any obligations to love, or do them good. Here *self-love*, and *self-preservation*, as well as a *natural abhorrence* of *injustice*, seem to require, that by making the guilty person feel the ill effects of his injustice, we should discourage his continuance of it, and guard ourselves. But are all who are not well affected to us, or who injure us, to be deemed *unjust*?

unjust : May not *misapprehension* as to right, *misinformation* as to fact, *prejudice*, *rashness*, and the like, make persons unkind and injurious to us, who are really in their general disposition just and humane? Have not we ourselves, under the influence of these causes, often said or done hard or unkind things to others? And how do we think, in such cases, we ought to have been treated by others? Not certainly as *malicious* and *unjust*. Ought we then rashly to account or treat others so? And what method so fit to convince such persons, and bring them to a better mind, as friendly expostulation, and continued good offices?

But suppose it to be a clear point, that any under the influence of pride, covetousness, anger, or some other disorderly passion, have *designedly* done us an injury, yet this may not be their *settled* temper : they behave with humanity and justice to others, and perhaps their general character is to be equitable and kind, and in a cool hour they may condemn themselves for what they have done to us ; and our continuing to behave mildly and respectfully to them, will probably excite them, by instances of a better temper, to efface the memory of their past wrong conduct, and to deserve our peculiar esteem and friendship. Whereas if indulging to resentment we returned the injury, it is odds, but we shall exceed justice
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in our revenge, become ourselves wrongdoers, and thus provoke fresh injuries from them; in committing which they may think themselves justifiable, when before they secretly blamed themselves. And even supposing those who have wronged us to be very bad men, a tenderness in our censures of them, an apparent concern for their happiness, and a generous compassion when they are under great calamities, will be likely, if any thing can do it, to change them into friends, and make them become honest and good men; overcome by the excellency of such a temper as appears in us. It is hardly in human nature to continue injurious to any who thus behave.

^c *Socrates* therefore, with reason, determines, Οὐδε ἀδ' ἰκχμενον ἀρε, κ. τ. λ. “That if we
“are injured we are not violently to return
“the injury.” And ^d *Cicero*, *nec vero audiendi*, &c. “They are not to be followed,
“who think we may indulge to furious anger against our enemies; and that this is
“the part of a great and brave man. For nothing is more commendable, nothing more
“worthy of a truly great man, than *clemency* and forgiveness.”

Reason, you see, taught persons destitute of *Revelation*, the excellence and obligation of
this

^c *Platonis Crit.* xv.

^d *De Officiis*, Lib. I. Cap. xxv.

this part of benevolence; though not to that advantage, and with that force with which the *Gospel* does it; when it exhorts us to *imitate* the goodness of God, our heavenly father, who is *kind to the unthankful, and to the evil, and long-suffering towards sinners*; and the *meekness and gentleness of Christ, who being reviled, reviled not again; when he suffered, threatened not*; but dying prayed for his insulting murderers, saying, *Father forgive them, for they know not what they do.*

SECTION VIII. After all we have offered to prove our obligations to universal benevolence, yet we readily grant, that this affection must be under some *regulations*, in order to effect its own proper end, the *greatest good*. It must not *interfere* with, nor does it *supersede* a peculiar affection and kindness to those who are more *nearly related* to us, and who are, by the author of nature, peculiarly committed to our care; and with whom conversing constantly we are better judges of their wants and deserts, and of the methods in which we can do them good, and to whom we have the most opportunities of doing it. And would persons most extensively promote the common good, they cannot better do it, than by being good parents, husbands, brothers, child-

* Luke vi. 35. xxiii. 34. 1 Peter ii. 23.

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children, friends, and cultivating the peculiar affection, and conferring the kindnesſes ſuited to theſe various relations.

A ſpecial affection to our *benefactors*, which is *gratitude*, and to the *well deſerving*, is certainly conſiſtent with univerſal benevolence, and moſt ſubſervient to it; ſince it greatly contributes to the general good, to encourage a benevolent temper by ſuitable returns, and real merit by a diſtinguiſhing eſteem and benefits. We muſt alſo, while we indulge to a general benevolence, conſider, not only how we may communicate moſt good *at preſent*, but in what manner direct our benevolence, ſo as to be moſt *laſtingly* and *extenſively* beneficent. A generous and good man ſhould not therefore, by giving all his ſubſtance at once to the poor, and by an undiſtinguiſhing bounty encouraging the idle, as well as relieving the induſtrious poor, incapacitate himſelf and his children for being long and prudently beneficial to ſociety; but ſo conduct his benevolence, and limit his bounty, as may enable him, and his, long to exert their various talents and abilities, in doing the moſt ſubſtantial and extenſive ſervices to ſociety.

To conclude, the Author of nature, and the common Father of mankind, who has formed all *of one blood*, and to be kind, and

beneficial to all as they have opportunity; by the peculiar instincts and affections which has has planted within us, and by the various relations, and circumstances, wherein he hath placed us, has plainly instructed us how to direct, and exert this noble affection, so as to make it the most effectual means/of promoting what is his delight and glory, the greatest happiness of his creatures, his children, and especially of the virtuous, and well deserving.

Consult on the subjects of this chapter.

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CHAPTER XIX.

Of Piety, or the Duties owing to God.

SECTION I. **T**HE virtues included under *sobriety*, and *righteousness* having been explained, according to the method before settled, we are to close this System with a brief account of the *Duties* owing to *God*, as discoverable by *Reason*. This part of *Morality*, on account of the *excellence* of its *object*, and our intire *dependence* upon *God* for happiness, is the most important of all ; and where the pious temper is genuine, most strongly *excites* and *assists* us to the practice of every other virtue ; and therefore deserves that we should use the greatest care, and attention, in cultivating it. This disposition, which is termed *Godliness*, or *Piety*, consists in a firm belief, and in worthy conceptions of the *Being*, *Perfections*, and *Providence* of *God* ; and in such an habitual consideration of these, as will produce and maintain *suitable affections* in the soul towards *God*, and form us to a *resemblance*

blance of his *moral* perfections, and a constant *obedience* to his will.

We are absolutely *dependent* upon God, and unspeakably *indebted* to his goodness; and are able to discover his presence and perfections, which are the noblest objects of the human understanding; it is therefore evidently our duty, as *reasonable* creatures, to imploy our intellectual powers in *attending* to the discoveries, which our Creator makes of his unbounded wisdom, power, and benignity, in the grandeur, beauty, and usefulness in the material world, in the numberless varieties of living creatures which inhabit it, and in our own excellent powers of body and of mind: and to *pursue* our reflexions upon those, until we clearly *discern* and habitually *believe* the Being, Excellencies, and Providence of God, who gives to all life, and breath, and all things; governs his moral creation in the best manner, and with a constant view to their greatest perfection and happiness in a future state of existence; and strongly feel our own obligations to our Creator, continual preserver, and governor. What can be more inexcusably *irrational* and *stupid*, than for reasonable beings to live regardless of the presence and favors of the Deity with which they are constantly surrounded; and which easily manifest themselves to every one, willing to pursue the notices which *nature* and *educa-*

tion give him of a God, and to acquaint himself with him? Or what more *ungrateful*, than to receive innumerable benefits, without ever seriously thinking to whom we are obliged for all, and what pleasing returns we can make to our benefactor?

SECTION II. So many and bright are the evidences, which the frame and preservation of the world supplies, of the *existence* and *providence* of a deity, that even a *slight* consideration of these will produce *some degree* of religious faith and knowledge; but to make our religion in any degree worthy of its glorious object, and of our own rational powers and advantages, we must endeavour that our conceptions of God be as *honourable* and *exalted* as we can form *excluding* from our idea of the Deity whatever implies *imperfection* either natural or moral, and *uniting* in it every discoverable excellence in the *highest* degrees which we can conceive; persuaded after all, that the divine perfections rise infinitely above our most exalted conceptions and veneration. Such as our apprehensions of God are, such will naturally be our religious sentiments, and behaviour. If we in truth think of the Deity as the *greatest* and *best* of beings, we shall in truth *venerate* and *love* him; whereas if we think otherwise, we may *dread* or *flatter*,

flatter, but cannot supremely love and esteem God.

We are by nature formed to approve and love some qualities, and despise and hate others; in order therefore to an inward veneration and love of God, we must think of him as possessed of qualities really venerable and lovely. Not to add, that if judging wrong, and by violent perverting our natural sense of what is truly good and amiable, we should bring ourselves to reverence and worship God as being what he *is not*, and possessed of qualities *dishonourable* to him; in this case we shall not so properly worship God, as an *Idol* of our own forming. It is therefore a just and important observation of *Epiſtetus*, only for Gods substituting the *Deity*. Της περι της Θεως Ευσεβειας, κ. τ. λ. “ It is most essential “ to true piety, to form and preserve *right* “ notions of the Deity; and to believe, that “ he really exists, and directs all the affairs “ of the universe with perfect justice and “ goodness.”

The *superstitious* are very defective in this regard, who, omitting the ideas of *perfect wisdom*, *righteousness*, and *goodness*, consider the Deity meerly as possessed of *irresistible power*, and *supreme dominion*, and as *severe* and *capricious*. In consequence of such notions they *dread* the Deity, but cannot

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esteem,

esteem, love, or delight in him: and they endeavour to please him, not by an habitual *veneration* and *gratitude*, and an *imitation* of his *justice* and *goodness*, but by *servile flatteries*, *laborious*, *painful*, and *costly* services, *voluntary penances*, and *austerities*, and even by ^b *human sacrifices*, and by ^c *cruelty* to those, whom for neglecting their senseless rites, they conceive to be hated by him.

The *Idolator* and *Polytheist* render to many *imaginary Divinities*, the *veneration* and *obedience* due alone to the *One Supreme All-perfect* mind, the *God* and *Father* of all; and *ascribing* to their fictitious Deities the *passions* and *vices* of mortal men, seek to please them by *flattery*, *pomp*, and *expence*, and an *imitation* of their *vices*; and their religion, instead of restraining them from wickedness, is made, as by *Charea* in ^d *Terence*, an encouragement to debauchery. Would we keep our minds clear of these dishonourable and corrupt ideas of the Divinity, we must lay aside *passion* and *prejudice*, and attend to *Reason*; and would we *exalt* our *ideas* of *God* we must with attention study his works. The contemplation of an *unmeasurable* universe, in which *innumerable* *suns* and *worlds* revolve, and which is every where

^b *Diodor. Sicul. Lib. xx.*

^c *Juven. Sat. xv. and Mr. Chandler's History of the Inquisition.*

^d *Eunuch. Act. III. Scen. ix.*

where (as far as our observations can reach) filled with *beauty, life, and good*, will naturally raise us to conceive of God, as of a *pure, infinite, all-perfect mind*, and to ascribe to him an *immensity* which no thought can limit; an *omnipotence* equal to the effecting with perfect ease, *every thing possible and conceivable*; a *wisdom unerring* in its choice of the best *ends*, and the best *means* for accomplishing them; *equal* to the contrivance and formation of an *infinite* variety of *beauty, life, and perfection*; of attending to every being, and every event, throughout the creation, and *directing* all in the best manner, ever approving in *moral* agents what is worthy to be approved, and disliking the contrary, and training up all the *sincerely* good by the *discipline* of the present state for *perfection* and *immortality*; and a *goodness* infinitely communicative, inexhaustible by immense supplies of good every moment drawn from it, and ever disposed to make *all* his creatures happy, according to their several natures and capacities; and all his *rational* creatures, according to their *moral* character and conduct.

SECTION III. That these *great* and *lovely* apprehensions of God may suitably influence our affections, and regulate our temper and conduct, our *persuasion* of the truth of them must be clear and strong, and our *recollection*

tion of them frequent and serious. It will mightily strengthen our persuasion of these truths, if when we observed in the *natural* world effects, with evident characters on them of *design*, *skill*, and *benevolence*, we accustomed ourselves to consider the *matter* of the world, as in itself *senseless* and unactive, and its particles therefore incapable of moving and guiding themselves, so as to produce those effects, and the necessity of their being moved and guided by a most wise, powerful, and beneficent Mind, and frequently reasoned in some such manner *as this*.

“ The *Earth* is in itself a *senseless*, *motionless* mass, and *void* of all counsel ; yet
 “ we see proper parts of it continually
 “ raised through the small pipes, which
 “ compose the bodies of plants and trees,
 “ contributing to their growth, opening
 “ and shining in blossoms and leaves, and
 “ swelling and hardening into fruit. What
 “ *human* skill from earth and water could
 “ produce so copious a variety of beautiful and agreeable fruits ? And must not
 “ the Being who thus continually exerts
 “ his wisdom and goodness around us for
 “ our advantage be owned ever present and
 “ concerned for our welfare ? Must not
 “ the Mind, which has done this continually for thousands of years, in infinite instances,

“ See *Amory's* Dialogue on Devotion, Sect. ii, iii.

“stances, be infinitely attentive, and un-
“weariedly beneficent? — Or let us think
“how many *reasonable beings*, endowed with
“great mental excellencies, and clothed
“with *bodies*, in the frame of which appear
“exquisite *skill* and *goodness*, are *continually*
“*formed* and brought into the world. *Pa-*
“*rents* cannot claim the honour of being the
“authors of these effects; they *know not*
“*when*, nor *how* the bodies of their child-
“ren are formed, and they are conscious to
“no such power as producing a mind,
“whose nature is unknown to them. What
“clearer proofs of the presence and goodness
“of the Deity can be desired? Must we not
“confess the great Parent of the human
“race, ever acting in us and around us, un-
“to whom he gives continually life, breath,
“and all things?” By the like easy reason-
ings we may fully satisfy ourselves of the
moral government of God, and should there-
fore frequently pursue them.

“The same *wise goodness* which prepa-
“red the Sun to enlighten and warm us,
“must certainly be concerned for the prac-
“tice of *temperance*, *righteousness*, and *mer-*
“*cy*, among men; which are at least as
“*necessary* to their happiness, as the light
“and heat of the sun. Must he not there-
“fore be *pleased* with those of his off-
“spring, whom he observes falling in with
“his designs, and promoting the common
“welfare

“welfare of his children; and be *displeased*
“with those who counteract him? Can he
“whose *perfect wisdom* is attended with *equal*
“*power*, fail of *acting* towards his creatures
“and children agreeably to their different
“moral behaviour? Can he fail of making
“the *good* happy, and the *vicious* miserable,
“in proportion to their deserts? Can he be
“otherwise than the *moral Governor* of the
“world, which he *penetrates* with his *pre-*
“*sence*, *upholds* by his *power*, and *supplies*
“by his *bounty*? ” Thus by frequent reflex-
ions of this kind, we may be formed to
a strong and habitual persuasion of the pre-
sence, perfections, and government of God.
And then, that this faith may answerably in-
fluence our *affections*, and form our *conduct*,
we must every day, by fixed meditations
on the perfections, providence, and favours
of God, and by serious and direct acknow-
ledgments of them in humble *prayers*, and
grateful *praises*, excite and express the pro-
per affections of veneration, love, trust,
submission, and the like, and render them
lively and constant.

What strikes not our senses, we can no
otherwise present to our minds than by me-
ditation. Would we preserve an affection
to an *absent* friend, we must *often think* of
him. Would we preserve a consciousness
of an *invincible Deity*, and a humble and
grateful sense of our dependence and obliga-
tions,

tions, we must frequently think of his presence, trace his perfections in their effects around us, and warmly acknowledge his benefits. Employing ourselves this way *every morning and evening*, hath evidently a strong influence towards rendering gratitude, reverence, trust, and a concern to please God, our prevailing temper, and is therefore evidently our duty in regard to an ever present God^f. Nor let any think *humble petitions* to God *unreasonable*, because a most wise and good God will always do for us what is *best*, whether we ask him or not, since it is manifestly *best*, that God should encourage and reward, by peculiar benefits, a humble, resigned, dependent *temper*, a mind earnestly desirous of *wisdom* and *virtue*, and full of good will and good wishes to others; and daily *serious addresses* to God for what he sees *best* for us, for *wisdom* and *virtue*, and for the *welfare* of *others*, are natural expressions of this excellent temper, and amongst the most effectual means of cherishing and improving it. Of this both reason and experience assure us. While he who is too *careless* of the favour of the Deity, or too *proud* to ask it, is evidently *unworthy* to enjoy it.

Further, as to be piously affected towards God is alike *necessary* and *important* to *all*, and the *honour* of God is *most advanced*,
when

^f See Dialogue on Devotion, Sect. vi.

when the *greatest* numbers of his reasonable creatures properly reverence, love and obey their Creator, and thus qualify themselves to be made most happy by him ; it is the duty of every one, apprehensive of his obligations to God, and answerably concerned for his honour, and for the good of mankind ; by *public acts* and *professions* of faith, gratitude, subjection, trust, and resignation to God, that is, by *public worship*, to do all he can to diffuse a spirit of Religion, and thus to promote the greatest happiness of mankind, and the honour of the divine Being in the world.

SECTION IV. The *affections* which we are thus to cherish and express towards God, and the prevalency of which constitutes the religious temper, may be reduced to the following, *reverence, love, trust, and dependence, subjection* to the will, and *resignation* to the providence of God, and a ready *assent* to whatever he shall reveal to us. *Reverence*, as it is the disposition of *rational*, but at the same time *frail* and *sinful* creatures, towards the supreme all-perfect Creator, is made up of *esteem* and *fear* ; of the most exalted esteem of his infinite excellencies, and a deep sense of our own meanness and *sinfulness*, compared with his majesty and purity ; a fear of incurring his displeasure by an unsuitable temper and conduct, and

and when we have done it, such a strong apprehension of the evil of offending him, as suffers us not to be easy, till we have recovered the favour of God by repentance and a better conduct.

And what can be more reasonable, than such a disposition in such creatures as we, in regard to an *ever present* God? Of whom shall we think highly and honourable, before whom shall we be humble and serious, whom dread to offend, and be above all things concerned to please, if not *omniscient* and *omnipresent* God, the *Lord of the universe*, the *Creator of all things*, *infinitely wise, righteous and good*, who made us, and in the hand of whom are our breath, and life, and all our ways; the absolute rectitude of whose nature makes him approve moral goodness in every degree, and alike averse to moral evil; and who, as he hath placed us here on our trial, observes our temper and conduct, and will soon judge us in righteousness, and determine our final state according to our prevailing dispositions? Can any thing be more stupidly unreasonable than not to be concerned, that we be approved by the supreme Judge of worth? Not to fear offending an almighty Sovereign, a constant witness to our conduct; and proving ungrateful to our supreme benefactor, our infinite friend, whose unbounded perfections qualify him, as he made us to
make

make us happy to the utmost extent of our capacities, or wretched to the full of our deserts? When we are in the presence of an earthly monarch we think it becomes us to behave reverently, to guard against incurring his displeasure by a trifling or a rude behaviour, and by proper actions to manifest a respect to him. And ought we not then, who are ever in the presence of the King of Kings, before whom all kings and all nations are but as a mole-hill of ants, to fear before him? Ought we not, by direct regards to him, and by cultivating a serious sense of his excellent Majesty, and our own meanness and dependence, to evidence a proper veneration of him, whose favour is happiness in this state, and for eternity, but his frown destruction?

It is true, God is infinitely good and *merciful*, as well as great; our fear therefore should not be like the dread which slaves have of a stern tyrant, but the reverence of *children* to the *best* of *fathers*: and we should *abhor* as well as *fear* to offend, worship with *pleasure* as well as *seriousness*, and obey not only as *exactly*, but as *cheerfully* and *zealously* as possible. This temper is evidently reasonable, even supposing we never had offended, because through our frailty, and our situation, we are in danger of doing it: but as we have been *all* more or less *ungrateful* and *disobedient*, under the ob-

servations

servation of the almighty Father and Lord of all, no affection can be more reasonable than such a fear of God, as suffers us not to be easy, until by a humble and ingenuous sorrow, and confession of our faults, and an intire amendment, we have recovered his favour, and are no longer the objects of his displeasure, and open to the evils consequent upon it.

SECTION V. To temper this awe aright, so that it shall only restrain from evil, and excite to virtue, and, instead of being a burden on the mind, inspire the noblest joys, in a consciousness that we may become pleasing to God, or are approved by him; *love* to God is an affection which we should assiduously cultivate, by daily reflexions on his *goodness*, his experienced *lenity*, and innumerable *benefits*. *Love*, when directed to persons of a *superior* Character, as *parents* or *princes*, especially if they are in a great degree *independent* on us, and *eminent* for wisdom, justice, and benevolence, includes an habitual and delightful sense of their excellent qualities, a desire of their prosperity and happiness, and a *joy* in it; a ready devotedness to their will and interests, and a warm gratitude for their benefits. God is the infinitely wise, righteous, and good father and sovereign of the universe; like sentiments, therefore, in a degree some way

corresponding to his supreme excellence and inestimable benefits, are due to him, and included in the love of God.

If we love God, we shall *often* with *pleasure think of him*, and *triumph* in the *thought* of a Being infinitely perfect, and supremely happy ; with pleasure trace his presence and energy in a world filled with the effects of his wisdom, power and benevolence ; and with pleasure and frequency celebrate his perfections, review and acknowledge his favours. We shall rejoice to think, that an infinitely wise, righteous, and good God, made and governs the world, and is continually present with us ; whose invariable end, and chief delight, is the perfection and happiness of his creatures ; and who having almighty Power, will effect it in the best manner—Who has the affection of the best parent for mankind, his children ; made them, that they might be happy in the knowledge, resemblance, and love of himself ; and made them for immortality, that they might to eternity advance in perfection and blessedness ; and who governs the world by rules best adapted to promote this great end ; and who will permit none to be finally wretched, but such as obstinately unfit themselves for happiness, and render their destruction necessary to the general good. To exercise himself in such meditations, gives the lover of God the most exalted
satisf-

satisfactions; and in order to injoy them, he often retires from the world, and divests his mind of its trifling cares, interests and pleasures.

A *delight* in their *prosperity*, and a *desire* of their *happiness*, is also included in love to persons of eminent merit in a superior station; and thus the good man loves God. He *rejoiceth* that all power in heaven and earth is in his hands; and that all opposition must fall before him—That a being supremely good is supremely blessed—And though the perfect felicity of God raises him above all our wishes of an augmentation to his happiness, yet as the virtue and piety in the world is the *glory* and *delight* of God, the lover of God wishes and labours for this, and delights in it; peculiarly delights to practise and promote righteousness, goodness, mercy, and integrity, because they are pleasing to God; and abhors, and does what he can to prevent, the contrary, because displeasing to him.

Gratitude for his own share of the divine benefits, concurs with his love to God for his essential goodness, to animate his obedience to the divine laws, and his zeal in promoting the divine honour. He often recollects with wonder, and grateful love, the goodness of his Creator, in *forming* him *reasonable*, and as to his soul *immortal*; and of consequence for a rational and immortal

bleſſedneſs, and endowing him with ſuch *various* and *noble powers* of body and of mind; in *ſupporting* his life, and *ſupplying* him with all proper good, though too forgetful of his great benefactor, and too deficient in his returns of gratitude and obedience. The *preſervation* of the beauty, order, and fruitfulneſs of the *world*, and his own favourable *ſituation* for enjoying numberleſs pleaſures, both ſenſible and intellectual, and his ſecurity from the many evils to which he is incident, he aſcribes to the goodneſs of the ſame God; and eſpecially, that after ſo many inſtances of negligence and diſobedience, he is ſtill the charge of the divine goodneſs, in order to his being trained to the full perfection of his nature, and a happineſs without end.

To warm his heart with a daily recollection, and acknowledgment of theſe benefits, is a moſt pleaſing employment to the lover of God; and he thus animates his zeal and diligence in the practice of whatever may manifeſt an acceptable gratitude. And, finally, as his knowledge and ſenſe of the divine perfections and benefits, his gratitude and love, and his conformity to the divine will, are during his confinement to an *animal* body, of neceſſity very imperfect, as well as the virtue and piety of all others; he often, with a *transport* of pleaſure, thinks of that *approaching ſtate*, where all will be perfect

perfect knowledge, gratitude, devotion, obedience, goodness and happiness; and the glory of the divine benignity be fully displayed in the complete felicity of all who are fit to be made happy.

It is as reasonable thus to love God, as it is to esteem and love, and delight in the most amiable characters, to be grateful to the best parents or princes, and studious of pleasing them, and to be desirous of our own perfection and happiness, and that of the whole moral creation of God, and to rejoice in the hope of it. And it is as necessary to our happiness, that we cultivate a disposition for these exercises and pleasures, as it is for a being who would be happy, to possess the best pleasures to which his nature and faculties are suited.

SECTION VI. *Dependence and trust* are other affections becoming our relation to God, and parts of a truly religious temper. By the *first* is meant a deep conviction that all good is from him, and all our happiness in his hand; and by the *other*, a chearful hope of being provided for, and made happy by God in a way of well-doing, and a firm confidence in his unfailing power, wisdom, and goodness, and his perfectly wise and good government. They are truths of which the reason of the pious man is abundantly convinced, that God made him and all

things ;—that the health of his body, the right order of his mind, and the regularity and usefulness of the world, depend on his constant energy—that it is his care therefore which guards us from every evil, and his bounty that supplies all our wants,—and that if God withdrew his hand, we should all sink into the dust. He endeavours therefore that a humble sense of his entire dependence upon God, may be constant as his dependence; and will not suffer a forgetfulness of these truths to betray him into a foolish pride, and insolent unconcernedness as to the favour of God, and acting as if independent on it. Being always apprehensive that his intire happiness is in the hand of God, he is chiefly solicitous to avoid whatever may offend him, and to act so as to be always qualified for his kind regards. Being conscious of such a temper, and, at the same time, thoroughly believing the divine providence, and thinking most worthily of his administration, he chearfully perseveres in the practice of virtue and piety, expecting security from all real evil, and the supply of all proper good from his great sovereign; assured that in a world governed by an all-perfect mind, all events must issue for the best to the pious and upright, during their state of trial; and, that, in the next state, they shall receive from his bounty, a happiness answerable to the noble powers
and

and capacities of their souls, and such as the love of God, and of virtue, prevailing in their bosoms, qualifies them to enjoy.

These hopes are as reasonable as the expectation which a dutiful and grateful child entertains of being instructed and provided for by a rich, prudent, and tender parent; or which a zealous, faithful subject forms of being protected and rewarded by a wise, powerful, and generous prince. And, as this trust is the greatest excitement to virtue, enriches all the comforts of life, and is the best support under its afflictions, he will carefully cultivate it by daily meditations on the numerous proofs of the providence and goodness of the Deity, by grateful acknowledgments of the many instances wherein he has experienced these already, and by humble and earnest desires, that God would continue his favourable regards.

SECTION VII. A ready *Submission* to the *will* of God, and a chearful *Resignation* to his dispensations, are other branches of a religious temper springing from the same root. As the will of God is the will of him who gave us our being, all our powers of action, and faculties of enjoyment, the world we inhabit, and every good thing we possess, it is plain he has a *right* to direct the exercise of what is properly his *own*; and we are both by *justice* and *gratitude*

bound to obey him, in the practice of whatever, by our reason, or any other way, he shews us to be his will. The will of God, is also the will of the *wisest* and *most benevolent* Being; who can never mistake as to what is righteous and good, and who cannot but injoin to his creatures and children the observance of those duties and virtues, which most directly promote the happiness of the obedient, in consistence with the common good. Every reasonable person must therefore see it to be his duty and his Interest to attend, and follow the directions of the supreme wisdom, and the commands of absolute goodness, whatever inclination and passion may suggest to the contrary, which he hath often found misleading him to evil, when they promised him happiness.

And as his Creator is also *almighty*, the *Governor* of the world, and the *Lord* of eternity, and can never suffer any, in the final issue, to be losers by their fidelity to him, and their attachment to what is good, true piety will dispose a person stedfastly to adhere to his duty, against every sollicitation of pleasure or interest, any fears or suffering of evil, and even against death itself, and chearfully and constantly to chuse what he is convinced is pleasing to God; being persuaded that if he takes care of his *duty*, God will take on himself the care of his *happiness*.

In

In consequence of this, *Resignation* amidst the severest trials and sufferings, is another part of our duty to God; that is, a *pleasing acquiescence* in whatever *God appoints* for us, (who appoints *all* that for us which we cannot avoid without committing some *crime*) and a *heartly consent* that things should be as God directs; who can never permit any thing but what upon the whole is best to be permitted; nor appoint for us any state or condition which will not prove best for us, if we continue virtuous and obedient. *Submission* to the will of God regards his *commands*, or what he would have us *practise*; *Resignation* his *providence*, and what in the course of it he calls us to bear or suffer. It is certain, not one event can come to pass without the *permission* or wise direction of God, who actuates the *natural* world, and whose mere instruments all natural causes are; and who, as to *free* Beings, hath their intellectual and active powers so intirely in his hand, that they can neither think nor effect any thing, but what he for the best reasons permits, and will wisely over-rule, for the best purposes. We are absolutely the property of God, he hath therefore a *right* to dispose of us, and we can have no right to complain; and he is *most wise* and *good*, and orders all things well, and we can have no reasonable inducement to complain, but all imaginable reason
to

to be resigned, and to acquiesce chearfully in his allotments. Whether then he allots us prosperity or adversity, health or sickness, a station of honour, or of obscurity, or of reproach; whether he calls us to the more pleasing offices of a grateful piety, a generous goodness, and a prudent moderation amidst prosperity; or to practise a patient resignation, a steadfast integrity, and a chearful piety amidst poverty, ill treatment, sickness, or other calamitous circumstances, we are to act well the part assigned us, persuaded that the great master of the *Drama* hath assigned us that which was best for us; and that if we perform it well, we shall in the end find it most for our happiness.

It is not easy to express this spirit of *Resignation* more justly and nobly, than it is expressed by ^ε *Epietetus*, with whose words I will close the description of it. Χρῶ μοι λοιπον ὡς αὐν θελεις, κ. τ. λ. “ For the future, “ O God, use me to what thou pleasest, I “ consent unto thee, and will be alike pleased whatever it be. I refuse nothing which “ seemeth good to thee. Lead me whithersoever thou wilt, put on me what garment thou pleasest. Wilt thou have me “ to be a governor, or a private man, to “ stay at home, or to be banished, to be poor, “ or to be rich? I will in respect to all these “ things

^ε *Arrian. Epietet. Lib. II. Cap. xvi.*

“ things vindicate thy dispensations before
“ all the world.”

SECTION VIII. A ready and an intire *Assent* to whatever God shall *reveal*, is another affection or disposition becoming us in regard to a God of infinite knowledge and immutable truth. That the God who speaks to us, and hath taught us so many great and useful truths, by the voice of natural *Reason*, and by his *works*, can, if he pleases, instruct us by an *immediate Revelation*, is at least as conceivable, as that he should have enabled other men to speak to us, and to communicate useful knowledge of all kinds; and if he does in a *supernatural* way discover any truths to us, it is beyond question fit that he be intirely believed. They who made the best use of their natural faculties, unaided by a divine Revelation, were convinced, that human knowledge was very deficient as to many great and important truths, and that it was a thing very desirable to be divinely instructed. ^h *Plato* expresses this desire, in the person of *Socrates*, with regard to the most acceptable method of *worshipping God*; and in the person of ⁱ *Limmas*, with regard to the *condition* which God designed for us in a *future* world. And certainly all who are apprehensive

^h *Alcibiad. H. Sect. viii, xi.*

ⁱ *Phædon. Sect. xxviii.*

hensive of the infinite knowledge, goodness, and immutable veracity of God; and of the defectiveness of their own knowledge, must *thankfully* entertain any fresh discoveries which God shall vouchsafe to grant them; and when any revelation, attended with proper *credentials*, claims their assent, *impartially examine* the evidences. and if they are sufficient to determin^e a rational assent, without prejudice *yield* to them; grateful for any new instruction, or encouragement, which the Fountain of truth, and the Father of mercies shall give them, in the practice of virtue and piety, and in the pursuit of their true felicity.

SECTION IX. These pious affections and dispositions being fixed, and prevailing in the mind, the *effects* which they will naturally produce in the life are easily known, and may be reduced to these *three* principal; a *serious concern*, and a *diligent endeavour* to *know* the *whole will* of God in order to practise it; the *practice* of *all virtue* because pleasing to God; and a *studious imitation* of the *moral excellencies* of the Deity whom we admire and love. To live *unconcerned* to *know* in what way of acting we may most please God, and in a *careless ignorance* of what he requires, is in effect to declare, that God has *no right* to give us laws; or that it is of *no consequence* to us, whether a
most

most wise, almighty, and ever-present God, our creator and judge, approve or condemn us, be our friend or enemy; than which scarce any thing can be more stupid and guilty. And as an infinitely wise and good God will certainly prescribe those laws, an obedience to which will best promote our true happiness here and hereafter; to neglect the knowledge of these is to neglect the knowledge of our true happiness, and the certain way to attain it.

The man therefore suitably affected with the perfections of God, his right in him, and his numberless benefits, and who apprehends the value of the divine favour, will make it his great study and concern certainly to know what is pleasing to God. And as God hath made the chief parts of our duty, such as *doing justice, loving mercy, and walking humbly with him*, obvious to the reason of honest minds, he *consults* his *Reason*, and attends to its instructions. And while others consult only *inclination, passion, or custom*, his desire and endeavour is in every part of life to know what the supreme wisdom approves, what conduct will render him beloved of God, and to act accordingly; and if God has given him, as he has done to the *Christian* world, the light of Revelation, he thankfully and diligently studies, and follows it: since a contrary behaviour, is to despise the kindness of God, which
offers

offers us instruction, and his favour, and the blessedness to which it directs us; to deny his authority to give us laws, or to prefer the guidance of inclination, or example, before the guidance of unerring wisdom, and the rewards of infinite bounty.

SECTION X. The pious man therefore, as the fruit of a different temper, having acquired a good degree of knowledge of what is pleasing to God, sets himself cheerfully to practise all *Virtue*, because pleasing to God. To cultivate *temperance, integrity, benevolence*, and the like, because of their essential beauty and excellence, and natural good consequences, is to be *virtuous*; to be more strongly animated to practise these, because *approved by God*, and an acceptable proof of our *gratitude* to him; and to adhere inviolably to what is good, and abound in it, *trusting* to the favour and protection of God against all external discouragements, and expecting from his love of virtue an abundant *reward*, is in all these instances to be *religious*; a temper as evidently reasonable, as it is in fact true, that we are ever surrounded with the presence of God, the lover and rewarder of virtue, and unspeakably indebted to his goodness.

Finally; an *Imitation* of the Deity, according to our measure, is another effect of a truly pious disposition. *Seneca* has observed,

served, " that the most acceptable worship of God is to endeavour to be like him." And every man's reason will tell him, this is the best proof of the sincerity and greatness of our veneration and love. To admire and love God is to admire and love a being most holy, righteous, good, and merciful; who always approves, and always does what is best and most excellent. And if we really esteem and love God on account of these his moral perfections, and are ourselves capable of attaining them in some degree, we cannot but strongly desire and endeavour to be what we highly approve and love in the Deity. All other expressions of regard without this, are flattering and insincere, and will be so accounted by him.

Is God then the object of our supreme veneration and love, for his unbounded benevolence, and his continually exerting his wisdom and power, in making innumerable creatures happy? We shall endeavour to resemble him, by comforting the sorrowful, supplying the necessitous, instructing the ignorant, and to our utmost making all within our influence virtuous and satisfied. Do we adore and love a God patient and long-suffering with a world of sinners, slow to anger, and ready to forgive? We shall study to be like him, restraining anger, being meek and gentle, easily reconciled, and over-

overcoming evil with good. Or, do we admire a God of truth and faithfulness? We shall speak the truth always, and be faithful to our promises; knowing that if God approve truth and faithfulness in himself, he must condemn us, if we are deceitful and perfidious. By this *standard* therefore we should try the sincerity and strength of our regard and love to God; not by the warm fallies of a heated imagination, but by the steadiness of our esteem and love of holiness and goodness; by the zeal and chearfulness wherewith we practise all virtue, because pleasing to God; and by our making it our noble ambition to resemble the Deity, in a constant abhorrence of all moral evil, and a diligent and abundant practice of every thing that is good.

This *brief* and *general* description of the duties owing to God may be sufficient here, as it belongs to another science, distinctly, and at large, to prove and illustrate the Perfections and Providence of God, and to trace to their largest extent, the various duties which we owe to him; and to add the clear and noble discoveries of *Revelation* to the truths and duties recommended by the best improved *Reason*.

Consult

Consult on the Subjects of this Chapter.

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CHAP. XX.

Of Self-improvement,----wherein it consists, and our Obligations to it; ----the Advantages which reward it,----and the Means for effecting it.

SECTION I. **M**AN is a creature evidently formed for gradual and high improvements, especially with regard to his *moral* powers and dispositions. It is a work of considerable time and labour for him, to gain a *clear knowledge* of his whole duty in its various parts; and of more still to fix a *disposition* for the *ready* and *constant* choice, and practice of whatever is right and good. Our most wise and benevolent Creator, who hath given us natures thus improveable, must certainly will that we improve them. Every advance in the knowledge, approbation and love of what is morally good, renders us more like to him; and con-

consequently, more approv'd by him, who is supremely perfect and happy ; produces in our bosoms, and in our lives, increasing satisfaction and good, and qualifies us to receive more blessedness from the great fountain of all. It also renders us more amiable in the eyes of the wise and good, and disposes them to contribute more to our felicity. From all which arise the strongest *obligations*, in regard of *duty*, and of *happiness*, to continual self-improvement.

SECTION II. As we are compounded of *body* and *mind*, and the powers of each may be made more perfect in their kind, our care should extend to both. Our concern for the *body* may be reduced to these three heads ; that it be *healthy*, *active*, and *obedient* to the *mind*. The soul depends greatly on the body, and if the body be weak and diseased, its own operations will be less regular, free, and sprightly. The soul acts also by the body ; and it is beyond the skill of the best artist to make so complete a work with a bad instrument, as with a good one. The health and vigour of his body, will therefore be the care of every prudent and virtuous person. By the same methods which render the body healthful, we may also render it more active. To give distinct and full directions herein belongs to the *physician* ; the most important rules may however be comprized

under the following: *Temperance* in eating, drinking, and other bodily indulgences; constant *exercise*, avoiding what we find *prejudicial* as to *hours*, *air*, and the like; and *inuring* the body *betimes* to bear heat, or cold, hunger, thirst, watching and fatigue. The *antients* made this part of education a serious study, having masters for diet and exercise; and it is surprising to what degrees they carried the vigour, strength, and agility of their bodies: witness their combats and victories in the *Olympic*, and other games. From a conversation of ^k *Socrates* with *Aristippus* we may learn some principal parts and advantages of this regimen, as far as all are concerned in it. The other part of this moral discipline, preserving the body *obedient* to the mind, consists in denying ourselves all those animal indulgences, which inflame the sensual passions, and indispose us for sober thinking, virtuous resolution, and mental pleasures; accustoming ourselves to voluntary self-denials; and, finally, keeping steddily to those quantities of food and liquor, and within those limitations of the other animal gratifications, as we find from experience leave the mind clear, attentive, and ready to discover and pursue truth; or to chuse and pursue, with the most freedom and activity, what is virtuous and praiseworthy.

SECTION

^k *Xenoph.* de Memorabil. Lib. II. cap. i.

SECTION III. The *moral culture* of the *mind* is next to be considered. *Particular* directions and encouragements to a proficiency in each virtue have been given before, where the several virtues were treated. What we now propose to consider, is the *general* nature of moral improvement, and some *common* means for promoting it. The *knowledge*, the *approbation* and *love*, and the *choice* and *practice* of what is virtuous and laudable, constitute a good character; and to make a constant proficiency in these is to advance towards moral perfection. Unless we *discern* what is right and good in *all* the various instances of conduct, we cannot choose and practise universal righteousness. If we distinctly perceive only some of the principal instances of their opposites, we shall content ourselves with doing the one, and avoiding the other; while, at the same time, we are defective in several amiable qualities and dispositions, essential to the beauty and perfection of a virtuous character; and allow ourselves in many faults, which lessen the beauty and usefulness of our examples, and our own satisfaction. We should therefore make the moral science the subject of constant and attentive study; and accustom ourselves, from a few general and evident principles, to trace the various branches of virtue and piety unto their farthest

extent, and into every part of a right temper and conduct. This will prevent our continuing easy while we want any part of a truly good disposition; or in the indulgence of any practice or inclination inconsistent with a supreme love to God and goodness. The rules and instances of consummate morality becoming familiar to our thoughts will excite us, as the opportunities for it continually arise in life, to exert every degree of a virtuous and pious temper, and perform every instance of a suitable conduct, and thus continually advance us towards perfection.

SECTION IV. The *approbation* and love of what is morally good and beautiful, is another essential part of a virtuous character, and admits of various, and continually ascending degrees. As persons improve *taste* in *painting*, they not only discover numerous beauties or defects, in pieces of art which escape the notice of common observers, but they are more sensibly struck and delighted with the beauties which they admire; as also more disgusted with the faults which they discern. Thus also we find the case to be in *morals*. The more we are accustomed to contemplate the amiableness of virtue and piety, especially in the most eminent instances, and the most finished characters, the *more delicate* will our moral

sense grow; the *warmer* our approbation of every great and good disposition, and our desires to attain it; and the *tenderer* will our sense be in regard of whatever is vicious, and the *stronger* our aversion to it. Finer beauties in characters, which in the beginnings of a virtuous life we could not perceive, or else passed lightly over, will highly engage our admiration and love, and make us studious of acquiring them; and lesser faults, in which we allowed ourselves, or others, will sensibly displease us, and make us solicitous to correct them. And as virtue, and piety, are not only beautiful forms, but bring happiness with them; as they give, or secure to us the most valuable enjoyments of life, and the weightiest evils we suffer are the consequences of neglecting, or violating their precepts; and the future as well as present happiness of a free creature, acting under the view of a supremely righteous and good God, must depend on his moral conduct, and be advanced by every improvement in goodness, or sunk by the contrary; as we grow more convinced of this, we shall grow more in love with virtue, and more averse, to vice; for we cannot but desire happiness, and love what produces it, and be averse and flee from misery. To render the moral sense therefore more delicate, his approbation and love of goodness, and his abhorrence of the contrary more strong, by ha-

bituating himself to contemplate the beauties of virtue, and the deformities of vice, the close connexion of the former with happiness, private and public, and the like connexion of the other with misery ; as well as by employing various other means which will be mentioned presently, is evidently the duty and wisdom of every sincerely good man.

SECTION V. To constitute a virtuous character, with the knowledge and approbation of what is morally good, must be joined the *choice* and *practice* of it through life. In these also we are capable of continual improvements. On the first trials we find ourselves unready to good actions, and are easily diverted from them. Opposite inclinations, passions, and habits, darken our apprehensions of what is amiable and right ; or draw us to contrary pursuits: and we cannot, without repeated strugglings, and renewed resolutions, chuse and practise what we approve ; and we do it at first with divided hearts, and in a defective manner. In our gratitude to God, for instance, we have large intervals of insensibility and forgetfulness of his benefits, and sometimes of uneasiness with his dispensations, and even of a disposition to do, for the sake of some sinful pleasure, what we know is offensive to him. While we wish well to others, and
are

are concerned to do them good ; we are often
 soured by follies and provocations, diverted
 by bodily pleasures, or turned quite off
 from our friendly purposes by a seeming op-
 position of interests : Or, we are warm and
 vigorous for a time, and then grow negligent
 and indifferent ; or we are zealous and ac-
 tive in some instances of virtue, peculiarly
 suited to our own natural tempers, or cir-
 cumstances, and as deficient in some others
 which thwart a constitutional propensity.
 It may be we are constant enough to the
 practice of the *main* parts of a pious and
 virtuous conduct ; but as constantly fail in
 other parts of duty, which require a tender
 conscience, and a more improved moral sense
 and discernment. All these, and many
 more faults and deficiencies, to which we are
 incident, may be corrected by degrees, or
 supplied by continued diligence, till we at-
 tain what, with proper allowance for human
 frailty, and for our various disadvanta-
 ges and temptations, may be dignified
 with the name of a *complete* character. To
 constitute this, we must not only practise what
 is right and becoming us, in every character
 and relation which we sustain, but we must
 do it with *readiness*, *freedom*, and *constancy*.
 We must ¹*abhor*, as well as *fear* to do evil ;
 and heartily *love* goodness. We must not
 only

¹ Oderunt peccare boni virtutis amore.

Horat. Epistol. Lib. I. Epist. xvi.

only avoid the *grosser* vices, but the *least*; and endeavour to clear away all those blemishes, which would impair the beauty of our character; and not only acquire the *essential* parts of a religious and good disposition, but all those *finer* graces, which heighten its beauty, and render it intirely attractive. We should make it the constant, delightful, and prevailing concern of life, to approve ourselves unto God, do good to mankind, and perfect ourselves in every worthy disposition. We must not only be beneficent, but abound in beneficent actions, and with pleasure seek out, and embrace opportunities for them; bring every passion into an easy and constant subjection to reason, and make goodness and devotion our temper.

SECTION VI. To raise ourselves to this eminence, will require continued attention, study, and resolution, unwearied labour, obstinate struggling with opposing inclinations, painful self-denials, and strict abstinence from every vicious indulgence, and the like; yet the *advantages* which arise out of this improved state of virtue are such as will abundantly reward our labours; and so high the *moral worth* of it, as to require and deserve them all. An established habit renders that which in our first essays was difficult and disagreeable to us, *easy* and *delightful*. The struggle and opposition gradually
sink,

sink, till it becomes within all unmixed pleasure of the noblest kinds, conscious goodness, a self-approving mind, a steady rational assurance of the divine approbation, and the brightest hopes of immortality.——The more perfect the virtuous and religious character, the *more useful* also we are to others. We not only do them good in numerous and important instances, and are thus ourselves the happier; but our virtues become *more attractive* of their esteem and imitation.——

A state of advanced goodness is also a state of *greater security*. While our virtue is weak, and our passions are strong, we are in perpetual danger of relapsing into vice and misery; but, by continual improvements, we get in a manner above the reach of temptation; we no longer feel any allurements in vice, and the practice of our duty becomes so natural and necessary, that we must do violence to ourselves in violating our duty. What an advantage must we reckon this, when the connexion of the present probationary state with a following immortality is seriously considered? To be thus secured against losing a blessedness, compared with the value of which the whole world is nothing; and compared with the duration of which a thousand ages are no more than a moment.——We are also, by every improvement we make in virtue, *augmenting our interest in the favour of our Maker,*
who

for the same reasons that he loves virtue and piety, will love most the greatest degrees of these dispositions, and distinguish them, by the most valuable tokens of his peculiar guidance, protection, and blessing here, and by his most bountiful rewards hereafter. Our gross animal bodies being dropped in death, the satisfactions and employments of the following eternal state must be all of the rational and virtuous kind. The more we have improved our minds in virtue and piety, the more abundantly shall we be qualified to receive and enjoy, and in a higher degree, these satisfactions; as the best of beings will be delighted to confer them more abundantly. Our succeeding beyond our utmost wishes in merely temporary pursuits, can avail us only for the few years we spend upon earth; but every good action we perform, yea, every honest endeavour to become better men, will have eternal good consequences, and *heighten our perfection and felicity forever.*

SECTION VII. If animated by these encouragements, the studious of moral improvement inquire how he may best succeed herein, he will find his observance of the following *Rules*, very conducive to his desired end. He should *often contemplate the essential goodness*, and *very great importance* of virtue and piety, in all the various instances of them;

them: as being the proper dignity and excellence of intelligent beings, and rendering them like unto God; and by consequence securing to them the most valuable satisfactions and good at present, and directly preparing them for an immortality of perfection and felicity. The more distinctly and intimately we acquaint ourselves with the lovely character, the more uneasy shall we be upon observing any unlikeness or blemishes to remain in ourselves, and become more warmly concerned to beautify our minds with all those excellencies which we esteem; as well as to gain the great advantages we cannot but desire.—*Practising resolutely and habitually* every part of our duty, as we discover it, is also a most effectual method of improvement. Habits are only produced by repeated acts: and it is a wise law of our moral constitution, established by the great lover of virtue, that a habit of any virtue shall make the practice of it to become easy, delightful, and at last necessary and perfect. In order to fulfil this last advice we should chuse some useful profession, or way of life suited to our genius; which may give us opportunities and room for exerting the various affections and dispositions which we approve. God sends no man into the world to be idle and useless in it. We are formed to be happy in action, especially in a steady course of virtuous and religious actions;

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actions; and persons whose affluent circumstances excuse them from the cares and labours of providing the supplies and conveniences of the animal life, should be the more studious to possess themselves of the knowledge and abilities, which will qualify them to administer justice, protect the weak, direct the unskilful, compose the differing, and by a well-guided liberality to render their abundance the relief of want, and the encouragement of merit. For thus imitating in their little spheres the unbounded beneficence of the Deity, they will enjoy satisfactions like his; and by his favour secure to themselves every other valuable enjoyment here, and the future lasting rewards of goodness.—*Associating* with the *wise* and *good*, and chusing them alone for our *intimate* companions; and, which is much the same, being *frequently conversant* with the *lives* and *characters* of persons most eminent for virtue and religion, are other very effectual means of self-improvement. The loveliness of exalted virtue and piety, appearing in their conversations and lives, will strongly attract our esteem and imitation; their countenance and friendship will encourage us against the ridicule, persuasion, or opposition of the vicious. We shall be animated with a noble emulation, and ashamed to continue unadorned with excellencies which we see attained by others in a like situation,

or

or to be terrified by difficulties which we see have been often overcome by men like ourselves. The ^m statue, or, according to *Plutarch*, the life of *Alexander*, fired the ambition of *Cæsar* for dominion and military glory; and the lives of a *Hale*, or a *Boyle*, a *Gilpin*, or a *Tillotson*, attentively read, could not fail of exciting a nobler and infinitely more beneficial emulation. The conversation, and the examples of great and good men, will also present to our minds continually various instances of virtue, or of the best manner of performing any duty, which probably would not otherwise have occurred to our thoughts.

SECTION VIII. An *intimate self-acquaintance*, improved by frequent impartial reflexions on our deficiencies, or improvements, will be found of the greatest advantage to those, whose noble aim is perfection in goodness. Faults undiscovered will remain unamended; whereas the frequent observation of them will make us uneasy under our own disapprobation, and impatient to remove what lowers us in our own estimation. The knowledge and consciousness of our improving will also give the most heart-satisfying delight, and the sweetest encouragement, as well as a distinct knowledge how we may best complete our character.—

Daily

• See *Plutarch's* life of *Cæsar*.

Daily earnest addresses for divine assistance, with which are naturally connected *serious contemplations of the divine excellency*, especially his love of virtue, will not be neglected by a person intent on rising high in moral perfection, and in the divine favour. Devout exercises open the way for those secret irradiations and influences, which invigorate all our moral powers; they keep in our view the most powerful incentives to eminent virtue and piety, the supreme loveliness of perfect rectitude and goodness in the character of the infinite Creator, whose children we have the honour to be, and on whose assistance and distinguishing favour we may depend, while we strive more nearly to resemble him.——This will naturally prompt us to employ another powerful means for advancing our moral perfection, the *daily serious consideration of Immortality*; as throughout the boundless duration, we are allowed to expect, as our reward, the largest effects of the divine complacency and munificence; and we ourselves never so justly conceive the dignity of our nature, as when we view it in its connexion with that eternity for which it is made. Who that is habitually conscious of this dignity, can be unconcerned to act worthy of it; or find it difficult to despise, as beneath him, the brutal pleasures of vice, derived from a perishing body, or the short-liv'd profits of unrighteousness?

ousness? Reasonable and immortal beings can only become happy by knowledge, truth, goodness, friendship, and divine love; and by being most favourably situated for the most abundant enjoyment of the satisfactions arising from these. To our enjoyment of these satisfactions, and our improvements in the proper dispositions for them, no bounds will be set through eternity. Nothing can make us poor in these pleasures, but our neglect now to improve and enlarge our capacities for receiving them. Death is ready to lay his hands on every inhabitant of this earth; and will soon forever dispossess us of all merely animal gratifications, and of whatever ministers to them. Our habits of virtue and piety, and improvements in these, are the only possessions privileged against death, and which will attend us for our advantage into the everlasting state; and by them the degrees of our final happiness will be determined. The more numerous and well performed our good actions, and the more perfect our habits, the more enlarged will our capacities naturally be for every moral pleasure; and with the greater strength and vigor, and from the more advantageous situation, shall we set out in the race of immortal perfection: in which we may hope to shine with unfading and increasing lustre; when our sun shall have spent his fires, and

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this earth be no more. This divine incentive should daily warm the heart of the lover of virtue, and the studious of perfection.—
Finally, For this, and other good purposes, he should be much *conversant* with the *instructions, examples, and encouragements* of the *Gospel*. This gives us a complete delineation of virtue and piety, and examples answerably complete; assures to our honest endeavours divine assistance and acceptance; eases our minds of every other concern by the doctrine of a particular providence; and animates against every difficulty by the clear discovery and express promise of immortality. They, therefore, who are desirous of perfection, will be conversant in the Christian revelation, which, as will be distinctly shewn in the next chapter, is a most friendly assistant in the study and practice of all virtue.

Consult on the Subject of this Chapter,

Horatii Epist. Lib. I. Ep. i, ii, iii.

Mori Enchirid. Ethic. Lib. III. Cap. iii.

Hutcheson. Element. Philosoph. moral.

Lib. I. Cap. vi, vii.

Grove's Sermons, Vol. I. Sermon xiii.

Vol. VI. Sermons xvi, xvii.

Lucas

Chap. XX. *Of Self-improvement.* 515

Lucas of Human Life, and of Perfection,
Sect. I. Chap. i,—vii.

Fordyce's moral Philosophy, Book III.

Three Essays on the Employment of
Time.

Watts's Miscellanies, 12, 14, 16, 43,
56, 73. Works, Vol. IV. Page 476,
&c.

Spectator, N^o 316, 447.

Guardian, N^o 158, 165.





CHAP. XXI.

Of the Advantages derived from Revelation in the study and practice of Morality.

SECTION I. **T**HOUGH in the preceding inquiry into the principles and rules of Religion and Morality, we have confined ourselves to such as were, or might have been discovered and proved by Reason, since it belongs to another science to form a complete delineation of these, by the joint aid of Reason and Revelation; yet we cannot conclude without acknowledging our obligations to Revelation. The complete account given by Revelation of the principles and rules of Morality, has been found of the greatest service towards demonstrating them by Reason; as it suggests the proofs of them to every considerate mind, and prevents that mixture of false with true, which perplexed the inquiries of the best geniuses before the Christian Revelation; and prevented their arguments from being

ing convincing, and their systems consistent.

It is therefore an unfair method, which our modern *Deists* use to magnify *Reason*, at the expense of divine *Revelation*, and to make it appear *unnecessary*, to take their estimates of the *general* strength and sufficiency of *unassisted Reason*, from the degrees of knowledge in Religion and Morals, which have been attained in the most civilized countries under the *Instruction* of the *Gospel*; and by a *few* persons, whose genius, education, and circumstances, gave them peculiar advantages for making the greatest improvements in this kind of knowledge. It is granted, that the truth of most of the principles, and the obligation of most of the duties of Morality, may be demonstrated by *Reason*, unsupported by the authority of *Revelation*; and it has been done by several judicious writers of our times: but this will by no means prove the *Christian Revelation* to have been needless; unless there could be found amongst *most* ages and nations of the world, before the *Gospel* appeared, such summaries of truth and duty, composed without the aid of *Revelation*, throughout clear and consistent; and the obligation of their precepts obvious to all. The reading even the best ancient Philosophers will make evident the vanity of such a pretense; and a comparison of them with those who have

treated natural Religion and Morality since the Gospel will manifest, how much we are obliged to it for our improvements in religious and moral science, and the perverse ingratitude of those, who abuse the light and assistance which they have received from it, to lessen its credit. Like a patient, who being cured of dimness or blindness by a good physician, and furnished with the proper means to preserve his sight, should then deny his obligations to his physician, and his ever having had any need of him; because now that he is cured, he can see without him.

What but *Revelation* gave to *Wollaston* so much the superiority to *Cicero* in his delineation of the *Religion of Nature*; particularly, with regard to the *Unity*, and *moral Perfections*, and *Providence* of the *Deity*, and the duties owing to him, the great encouragement to the virtuous from the assurance of a future state, and the clearness and completeness of his description of the duties which we owe to others and to ourselves? To judge aright therefore of our obligations to *Revelation*, we should consider the state of the world as *idolatrous*, *ignorant*, and *corrupted* to the grossest degree in their Religion and Morality, and *uncertain* as to the most important truths, when the light of *Revelation* broke forth upon them; and what would have been the probable consequences

quences in all following ages, had not God favoured men in this extraordinary manner: and whether there be not the strongest reasons for concluding, that we should have been as *ignorant* and *superstitious* as our *British* and *Saxon* ancestors, or as those nations now are, who are destitute of the Gospel. I shall therefore conclude this system with pointing to a *few* of the improvements in these important studies which we owe to *Revelation*, referring to the authors mentioned at the end for a *completer* account.

SECTION II. As to our apprehensions of the *nature* and *perfections* of God, by which the duties we are bound to render him will be determined, and by which the practice of virtue in every part is so much influenced, a small acquaintance with the history of mankind will discover to every impartial mind, how greatly we are obliged to *Revelation*. It is granted, that *Reason* can prove the unity, spirituality, and unbounded wisdom, power, and goodness of the first Cause, by arguments drawn from the contemplation of his works, and a reflexion on our own minds. Yet must it also be granted, that when *Christianity* appeared, the One true God was acknowledged and worshipped by *no one nation* in the world, the *Jews* excepted; who were peculiarly favoured with a divine Revelation.

Idolatry was the Religion of the world; and men having fallen into the worship of Gods, who were of like passions and vices with themselves, an *imitation* of their vices naturally made a part of their religion: which instead of being an excitement to virtue, and restraint from wickedness, became an incentive to vice. Witness the ^m *Prostitutions* in honour of *Venus*, and the *drunken Madness* attending the feasts of *Bacchus*; not to mention the ⁿ *human Sacrifices* offered by the *Carthaginians* in particular, to appease a God of a gloomy and cruel character. The ^o *Philosophers*, who thought more worthily of God, yet recommended it to their disciples to worship according to the laws of their country, and thus left the minds of the generality under the pernicious influence of idolatry and superstition. And the mixture which the best of them made of error with truth, particularly the ^p *Stoics*, while they asserted a Providence, deifying *Nature*, the *World*, and the *Stars*, gave the ^q *Epicureans* and *Academics* great advantages, for disputing and overturning their proofs of the existence and providence of a Deity; and left the *Stoics* themselves in great confusion, and uncertainty. Whereas *Revelation* bath

^m *Livii Hist. Lib. LXXXIX. D. iv.*

ⁿ *Diodor. Sicul. Lib. xx.*

• *Xenophon. De Memorabil. Lib. I. C. i. Lib. IV. C.iii.*

† *Cicero. De Natura Deor. Lib. II. C. vii. Lib. III. C. viii.*

‡ *Cicero. De Legibus, Lib. II. Cap. viii.*

hath taught *all*, even the most *simple* and *unlearned* to believe ^a *One God and Father of all, who fills heaven and earth with his presence; whose understanding is infinite, of almighty power, equal to the creating all things with a word, of everlasting righteousness, and of the most abundant goodness, mercy and compassion; yea, as love itself: who is a Spirit, and will therefore be worshipped in spirit and in truth, and whom we are to please in hope of eternal life, by loving him with all our heart, and our neighbour as ourselves: who is the righteous Lord, and loveth righteousness; light, and in him there is no darkness at all; who cannot be tempted with evil, nor tempteth any man; the merciful God, and who delighteth in the merciful; and who is glorified by him that offereth praise; accepts the sacrifice of a contrite spirit; and hath pleasure in them who trust in him, and who hope in his mercy; forgiveth iniquity, transgression and sin, and is the rewarder of all them that diligently seek him.* Of what unspeakable advantage are such sentiments of the Deity, to qualify us for his favour, to give us the noblest satisfactions in life, to excite to all virtue, and raise us to the perfection of our nature, and the perfection of blessed-

^a Ephes. iv. 6. Jer. xxiii. 24. Psal. cxlvii. 7. xxxiij. 6. cxix. 142. Exod. xxxiv. 6. 1 John iv. 8. John iv. 24. Luke x. 27, &c. &c.

bleſſedneſs; by making us like to the God whom we worſhip, and thus fit to poſſeſs the higheſt felicity in his preſence and love?

SECTION III. The doctrine of a *moral* and *particular providence* exerciſed by God over the world, extending to the *minuteſt* events, and *over-ruling* whatever befalls the ſincerely pious and good for their *real benefit*, in their virtuous improvement now, and their greater happineſs hereafter, is a truth, for the *full diſcovery* and *aſſurance* of which we are greatly indebted to *Revelation*. The *Philophers* were much divided as to this matter, ſome of them aſſerting a *fixed order* of external events, irreſpective of our moral conduct; others confining the attention of the Gods to *heaven*, or at moſt extending it only to the *greater affairs* of our world; and but few of them, if any, conſidering mankind as the children of God, whom he was preparing by the diſcipline of the various events here below, for the complete happineſs of a higher ſtate. And it is remarkable that *Epiſtetus*, who talks the beſt of the divine Providence, and of truſt and reſignation to it, lived *after* that *Chriſtianity* had made the doctrines of a particular Providence, and a future State of recompences generally known.

For

* *Plutarch*. De Placitis Philoſoph. Lib. II. Cap. 3. & *Cicero*. De Natur. Deorum, Lib. II. & III. & De Fato,

For divine Revelation not only assures us¹, that a *sparrow falls not to the ground* without his direction, who *numbers the hairs of our head*, and will make all things to work together for good to them that love God; will never leave them, nor forsake them; but if they seek first his kingdom and righteousness, add to them every real blessing, keep them from every evil work, and preserve them to his heavenly kingdom; but it gives also numerous instances of this providence, as exerted over persons in higher and lower life, and over nations and empires; particularly, in the whole history of the *Jews*, and in the predictions of *Daniel* and *St. John*, verified by correspondent events. And what a powerful excitement is this to all virtue and piety; to be assured that nothing out of our power shall ever hurt us; that if we *trust in God and do good*, no proper good shall be wanting to us, and even the most adverse occurrences turn out well? What temptations of pleasure or interest; what appearances of evil, or terrors of death, can shake his virtue and piety, who heartily believes these truths? And to what noble heights of these may he aspire, who has nothing to be greatly concerned about, but his continual proficiency in virtue and piety; and who taking a proper care of this, is then assured, that God will

¹ Matth. vi. 25. x. 29, 30. Rom. viii. 28. Heb. xiii. 5, &c.

will take care of every thing else relating to his happiness?

The *Stoics* in vain endeavoured to raise men to this temper, by teaching them, that pain or ease, want or affluence, reproach or honour, were things in themselves perfectly *indifferent*; for as in this they contradict the natural apprehensions and necessary feelings of mankind, they could not thoroughly believe themselves, nor be credited by others. And *Brutus*, a zealous *Stoic*, found these principles fail, under the pressure of a heavy calamity, fled to self-murder for relief, and dying exclaimed, as some report, on *virtue* as an *empty name*. Whereas *Revelation* raises us above the ill influence of external goods or evils on our virtue and happiness, not by telling us they are things wholly indifferent; but by assuring us, that God, who knows their nature, will direct them for our good; and by teaching us so to bear or improve either, as to make them instrumental in heightening our virtue here, and our happiness hereafter.

SECTION IV. The perfect draught given by *Revelation*, of the *duties* which we owe to *others*, is very helpful to us in our endeavours to discover the reasonableness of them, to trace out their various branches; and establish

* See *Plutarch's Life of Brutus*.

blishes their obligation. ^u *Heathen Law-givers* too generally confined the obligation and exercise of justice and benevolence, to the members of the same city or community, and allowed the inflaving others and treating them inhumanly; witness the laws and practices of the two most polite nations, the *Greeks*, and *Romans*. ^x *Christianity* commands us to *love our neighbour as ourselves*; and to *do good to all as we have opportunity*; and teaches us to regard *every one* to whom we can be beneficial as our neighbour, whatever be his Country or Religion. It strengthens also the obligation, by teaching us to consider all as of *one blood*, and as alike the *off-spring* of the same great *Father of spirits*, and designed to dwell for ever in the *same world* of perfect goodness and felicity.

^y *Aristotle*, one of the most judicious *Philosophers*, is charged with representing *meekness* and *forgiveness* as *meannefs* of *spirit*, and extolling *revenge* as true *greatness*; but *Christianity* instructs us much better in true greatness; teaching us to rise to it by an imitation of the *greatest* and *best* of Beings, in *lenity*, *patience*, and *forgiveness*. Instead of allowing injurious *Actions*, it forbids
a rash

^u *Aristot. Polit. Lib. II. Cap. xiv.*

^x *Luke x. 27. Gal. vi. 10. Acts xvii. 26.*

^y *Ethic. Lib. IV. Cap. xi.*

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a ^a *rash anger*, and *hard judgments* of others, and pronounces *blest*, not the successful in revenge, but the *meek* and *merciful*; and from the *example* of the long-suffering and mercy of *God*, and the gentleness of *Christ*, obliges us to *forgive* and *love*, and pray for our *enemies*. Instead of tolerating *fornication* or *adultery*, it condemns ^a *impure thoughts*; and cuts off the temptation to injustice from the hope of *gain*, by obliging to ^b *restitution*; and by teaching us to expect our happiness in a state, where selfish gratifications and *earthly riches* have no place; and to the enjoyments of which none but the righteous and benevolent will be admitted, as they alone are capable of relishing them.

To prevent *self-love* from biasing us to injustice, it teaches us to ^c *do to others as we would that they should do to us*; (by thus placing *self-love* on each side of the question, making it a balance to itself) and to esteem not the rich and great *happy*, but the *humble*, *modest*, and *beneficent*, who are rich, not in hoarded treasures, but in *good works*. The unjust and wicked practices of *exposing* and *deserting* children, *enslaving* or *destroying* captives taken in war, or making *thousands* of

^a Matth. v. 22. vii. 1. v. 5, 7, 44. 1 Pet. ii. 23.

^a Matth. v. 28.

^b Ibid. 24. Luke xix. 8.

^c Matth. vii. 12.

of gladiators kill one another for public diversion ; and endeavouring to raise the greatness of one people on the *ruins* of all around them ; these practices, which have had the sanction of ^d *Philosophers* and *Legislators*, in the politest Heathen nations, have been condemned and abolished by *Christianity* : and an ^e affection for *children* as *heirs* of the *kingdom of heaven*, a tenderness for the persons and lives of *all*, and *bowels of mercy, kindness, meekness, gentleness, and long-suffering*, are made essential characters of the *elect* of God, and the heirs of immortality.

SECTION V. If we next take a view of the duties owing to *ourselves*, we shall find them no where taught in such perfection as in the *Gospel*. Informing us that the ^f *animal* is not a *principal* part of our nature now, and will not long be any part of it ; but that the *rational* and *immortal* spirit is properly the *man*, which can only find its happiness in *knowledge, truth, goodness, friendship, and divine love* : it not only disposes us ^g to *abstain from fleshly lusts, which war against the soul*, from *fornication and unnatural lusts*, allowed and practised by heathen

^d *Plato* De Rep. Lib. V. *Aristot.* Polit. Lib. VII. Cap. xvii. & Lib. II. Cap. xiv.

^e Mark x. 14. Col. iii. 12.

^f Gen. ii. 7. 1 Cor. xv. 50.

^g 1 Pet. ii. 11. 1 Cor. vi. 9.

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then ^h *Lawgivers and Philosophers*, but to be moderate in lawful gratifications, knowing that the *fashion of this world passeth away*. And to be pure in heart, and to place our happiness in the love of God, in the practice of goodness, in the testimony of a good conscience, and the firm hope of immortality, is made the ⁱ *duty* and the *character* of every genuine Christian.

They who expected to *die* like the *brutes*, might consistently enough *live* like them, and seek no higher satisfactions than were common to both : but they who believe and consider themselves as destined to be companions of angels, and heirs of heaven, to have their *spirits* made perfect, and possessed of bodies *spiritual, glorious, and incorruptible*, and to dwell in the *presence of God*, must feel themselves strongly obliged and excited to ^k *cleanse themselves from all filthiness of flesh and spirit, perfecting holiness*, and to purify themselves, as God and heaven are pure.

Self-murther also, made up of cowardice, impatience, and rebellion against God, as well as an irreparable injury to ourselves, was allowed and commended among the Heathen, particularly in the case of *Cato*, which

^h *Plat. De Leg. Lib. VIII. & Conviv. Athen. Lib. XIII. Epictet. Enchirid. Cap. xlvii.*

ⁱ *Col. iii. 1.*

^k *Cor. vii. 1.*

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which is not only forbid to *Christians*, but
the temptation to it taken away, by the as-
surance of a particular Providence, and
an eternal reward to a patient persevering
virtue.

SECTION VI. The *authority* with which
Revelation teaches the truths and duties of
Morality, hath been found of great service
to make the belief of its truths, and the
practice of its duties, become general.
“ Could we, as ¹Mr. *Locke* observes, ga-
“ ther moral sayings from all the sages of
“ the world, sufficient to make an intire
“ body of the Law of nature (which in fact
“ cannot be done) this could not amount
“ to a *steady rule*. Did the saying of *Ari-*
“ *stippus* or *Confucius* give it an *authority*?
“ Was *Zeno* a *Lawgiver* to Mankind? All
“ their dictates must go for law, certain
“ and true, or none of them.” But they
contradicted themselves, and one another;
and what is then to be done? To bring all
the principles and rules of the Philosophers
to the test of Reason, and after an exact
and impartial examination reject the false
and retain the true, is a work for which the
bulk of *mankind* have neither leisure, nor abi-
lities; involved in prejudices, ingaged by
the necessary cares of a subsistence, and un-
apt for close and abstract reasonings. “ It

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M m

“ is

¹ *Locke's Reasonableness of Christianity*, p. 265. 8vo.

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“ is at least, adds Mr. *Locke*, a surer and
 “ shorter way to the apprehensions of the
 “ vulgar, and mass of mankind, that one
 “ manifestly sent from God, and coming
 “ with a visible authority from him, should,
 “ as a King and Lawmaker, tell them their
 “ duties, and require their obedience.”

The principal doctrines of Christianity appear, even, on the first proposal of them, to be highly credible; and Reason has no objection to its precepts: when Christ, therefore, by his own *miracles*, and those of his Apostles, engaged the attention, and commanded the faith and obedience of mankind; and, especially, by *raising the dead*, and *rising again* to life himself on the third day after his crucifixion, proved himself impowered by God to raise all the dead, and to judge the world, and distribute final recompences, according to the rules of his Gospel; the bulk of mankind, without the expence of long and laborious reasonings, saw their duty, and were determined to obey: and thus, in a *few years*, the Gospel did a thousand times more towards instructing mankind in true Religion and Morality, and forming them to goodness, than all the *Philosophers* could do in *many ages*. And Christian parents, recommending the sacred Scriptures to their children, as a rule of faith and practice, continue and spread the divine truths they contain to successive generations,

nerations, and *millions* are thus formed to true piety, the most exalted virtue, and life eternal.

Further, where the light and authority of Revelation are wanting, every man's *own* Reason is his *sole* guide and judge; this is easily blinded by a powerful temptation, and the man, judging under the influence of an inflamed passion, may really *approve* what is vicious, as *fornication*, for instance, and practise accordingly; and thus be fatally engaged in a criminal course, who would not have complied, had he certainly known and believed it to be a crime. Now the decision of Revelation is the *same*, whether the temptation be present or absent; and too *plain* and *express* to be disputed: and a man cannot indulge to the forbidden practice without throwing off the authority of the Revelation; to do which he cannot be so easily persuaded, as he may be to judge a particular vice excusable, when his Reason is his sole judge, and he determines under the influence of a violent passion. It was, therefore, a great favour which God granted to the world, especially to the main body of mankind, whose souls are as valuable in their nature as the Philosopher's; though at present they are disposed more for *action*, than for inquiry and disputing; when he sent his son to teach them^m, *denying un-*

M m 2

godliness

^m Titus ii. 12.

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godliness and worldly lusts, to live soberly,
righteously, and godly, in the present world,
as they would enjoy the glorious hope of
eternal life, at the appearance of the great
judge of the world.

SECTION VII. It is also another great advantage we receive from Revelation, that it propounds to our observation several noble *examples* of virtue and piety, and *one* of them *absolutely perfect*, to attract our imitation, and direct us in rising to the most exalted heights of goodness. It was a reproach on the ancient *Philosophers*, the truth of which ^a *Cicero* acknowledges, “ That few of them
“ were such persons in temper and life, as
“ right reason required; and that they ge-
“ nerally used their philosophy for an osten-
“ tation of science, rather than a rule of
“ life.”

And yet to teach Morals with efficacy, the *instructor* must convince persons that he himself believes what he teaches, by practising accordingly; must by the beauty of his example attract others, and shew his sublimest precepts to be practicable by his own observation of them. This was remarkably done by the *first preachers* of Christianity, whose actions and characters are recorded in the New Testament. They not only recommended a supreme love to God, a cheer-
ful

^a *Tuscul. Quæst. Lib. II. Cap. iv*

ful trust in him, and an intire devotedness to his will, a disinterested zeal for true Religion, a stedfast integrity, a generous love to mankind, a noble indifference to the interests and pleasures of the body, and a continual regard to immortality; but *lived* as they taught, and devoted their lives to the honour of God, the advancement of truth, and the eternal salvation of mankind; and for the sake of these despised the world, and triumphed over death. And the *example* of the *Son of God*, besides its being absolutely *perfect*, thus commanding our highest admiration, and pointing out to us the certain path to perfection, gives us irresistible encouragement, in that he gave a glorious specimen of his *wisdom*, perfect goodness and piety in the *rewards* which will *certainly* crown it, as well as of its finished beauty.

He whose *whole* soul was *love to God*, and to *mankind*, who *went about doing good* to the ungrateful and unworthy, and in death prayed for his murderers, this same person is an example of the glory and felicity destined to reward a finished virtue, though it may be ill treated and ill requited by the world; and manifests how dear it is to God, and how sure and immense its recompence. The *same* person who, for the sake of truth and goodness, submitted to the death of the cross, being raised on the third day from

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the dead, appearing after his resurrection with a glory and majesty above the light of the sun, and visibly ascending with a train of ministering angels into that heaven of complete and everlasting blessedness, which he promised to his followers; who also, by *gratitude* and *love* to him for his unspeakable benefits, are constrained to recommend his Religion by an imitation of his virtues. Notwithstanding therefore the mightiest discouragements that the world may throw in our way, it is evidently the wisdom and happiness of every man to follow the steps of the *Son of God*, who is thus assured of resembling him in glory and felicity. The lives of *all* those, on whose *credit* and *authority* Christians embrace their religion, being thus eminently good, our faith in it is rationally confirmed, against the influence of the ill lives of any of its teachers in *after-times*, on whose credit and authority, the authority of the *New Testament* is wholly independent.

SECTION VIII. Should it be suggested, that the divine religion of the *Gospel*, and the example of its *Author*, considering the universal degeneracy of mankind, when he appeared and taught, were above the practice of the world, and fit only to sink them into despair, on account of the *greatness* of their *guilt*, as it must appear on a comparison with

with these, and the *difficulty* of the virtue and piety which he required; we can mention it as *another* inestimable advantage which we owe to *Revelation*, that it *fully assures* the *forgiveness* of the *greatest* sins to the penitent, and *divine assistances* to all who are honestly desirous of becoming good and meet for that pure and perfect blessedness which it promises.

To be *assured* of a *full forgiveness* upon their repentance, where persons are made deeply sensible of their ill conduct, is one of the strongest motives to repent and amend. That God in general is merciful and forgiving *Reason* informs men; but how far the divine forgiveness will be extended, whether to sins of a very *heinous* nature, and *often repeated*; or, which have left a great *disability* on the mind for virtuous practice, or to those who have wasted the *greater* part of life in sin and disobedience—And, whether, as God visibly leaves true penitents in this life, long *after* their repentance to suffer the bad effects of their vices, he may not permit some ill consequences of their guilt to attend them as a punishment in a future state—as to these points *Reason* cannot give Men intire satisfaction. Much less can *Reason* assure great sinners, though penitent, that their repentance shall avail for their being admitted after death to the possession of perfect, unchangeable, and everlasting

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blestness; a reward infinitely above the desert of the most virtuous and pious men upon earth.

° *Plato* with great appearance of reason, and, after him, *Virgil*, determined, that the next state would be a state of correction and discipline, a purgatory to the imperfectly virtuous; and that only a few eminently virtuous would be established in complete happiness. The *mercy* of God, is the mercy of a *righteous governor*, engaged by love to the whole to support the practice of virtue and piety, and to discountenance wickedness. Yet the greater their guilt, the greater need sinners have to be assured of a full forgiveness, that gratitude to a forgiving God, and the hope of mercy, may be strong enough to bear them through the resistance from bad habits, and the difficulties of becoming good. It is therefore an unspeakable advantage that by *Revelation* the most vicious are assured of forgiveness and acceptance, if they repent and amend; ^p that all manner of sin and blasphemy shall be forgiven them; the greatest sins supposeable, as *ten thousand talents* are the greatest debt you can imagine a servant to owe to his master.

As

• Phædon, Sect. xli, &c. and *Virgil*. *Æneid*. Lib. VI. Ver. 669, &c.

Pauci læta arva tenemus.

^p Mat. xii. 13. xviii. 23. &c.

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As to *divine assistances*, Reason, when it considers the goodness of our supreme parent, encourages those who have *used well* their natural powers, and *improved* their advantages, to expect from him all the help which they shall need, for attaining the proper perfection and happiness of their nature: but where persons most need this encouragement through their having *impaired* their natural strength, and by corrupt indulgence and practice, *raised* and *strengthened irregular* passions, and *contracted* a greater aversion and inability for their duty, and proneness to vice; such persons Reason leaves in great uncertainty, whether they must not abandon themselves to a despair of virtue and true happiness. Whereas to these Revelation gives new life and strength, by *assuring* them, ^a *that God will give his Holy Spirit to them who ask him; and that if they work out their own salvation, he will work in them to will and to do*; and by giving instances of the greatest sinners, such as ^r *fornicators, idolaters, adulterers, thieves, extortioners, drunkards, and the like, who were justified in the name of the Lord Jesus, and sanctified by the Spirit of God.* ^f *Some of the Philosophers* allowed men to expect *no assistance* from God, but told them, *they must fetch virtue from*

^a Luke xi. 13. Phil. ii. 12, 13.

^r 1 Cor. vi. 9, 10, 11.

^f The Stoics. See Cicero. De Natur. Deor. Lib. III. Sect. xxxvi.

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from themselves; † others of them encouraged
them to hope for it: but Revelation alone
assures all, even those, who though most
unworthy, yet most need it, of obtaining it;
and therefore strongly impels them to strive
for liberty, perfection, and happiness, be-
ing then certain of success.

SECTION IX. *The clearness and certainty*
with which Revelation teaches the doctrine
of a future, righteous, universal, judgment,
and final recompences, is also a powerful
means of rousing and reclaiming the vici-
ous, and exciting and animating the well-
disposed. Reason, had men attended to it,
would have taught them to believe a future
state, and to regard it as a state of retribu-
tion; but where most improved, it left them
in great uncertainty as to the nature and du-
ration of this state, and especially as to the
degree and continuance of the blessedness and
reward to be expected by persons so imper-
fectly good, as the best of mortals. † Anci-
ent and modern Philosophers confess they
much want a guide here, and wish for light
from heaven to scatter the gloom of death;
and, what they wanted, and wished for, Re-
velation hath given to us.

How

† *Xenophon. Cyrop. Lib. VIII, Cap. xlv. Antonin. Lib.*
IX. Cap. xl.

‡ *Platon. Phædon, Sect. xxiii. Wollaston's Religion of*
Nature, Sect. ix, viii.

How confused and doubtful the delarations of * *Socrates* in relation to the future state which he believed! how clear, how important, how affecting, the discoveries of the Gospel! † *That we must all appear before the judgment seat of Christ, that every one may receive the things done in his body, according to that he hath done, whether it be good or bad.*—*That the hour is coming in the which all that are in the graves shall hear the voice of the Son of God, and shall come forth; they that have done good unto the resurrection of life, and they that have done evil unto the resurrection of damnation.*—*That God will render glory, honour, and immortality, to a patient continuance in well-doing; that then the spirits of the just made perfect, shall be clothed with bodies spiritual, glorious, incorruptible, and immortal, and enter into life eternal; be companions of angels, be for ever with the Lord Jesus, and behold his glory, and see God, and be like him, in whose presence is fulness of joy, and pleasures for evermore.* Whereas, ‡ *indignation and wrath, tribulation and anguish, will be rendered to every man that hath done evil; that then the secrets of all hearts shall be judged, and the wicked be punished with everlasting destruction from the presence of the Lord, being cast* into

* *Platon. Apolog. Socrat.*

† 2 Cor. v. 10. John v. 28, 29. Rom. ii. 6. Heb. xii. 23. 1 Cor. xv. 42—50. John xvii. 24. Mat. v. 8, &c. Psal. xvi. 11.

‡ Rom. ii. 8, 9, 16. 2 Theff. i. 8, 9.

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into the lake of fire and brimstone, which is
the second death: and body and soul be destroy-
ed in hell. Who that is acquainted with,
and believes these truths, can see any tempt-
ation in vice, or want any farther encour-
agement to aspire to the noblest degrees of
virtue and piety? Who but must be *stedfast*,
immoveable, always abounding in the work of
the Lord, knowing that his labour in the Lord
cannot be in vain!

SECTION X. I will mention but one bene-
fit more received from *Revelation*, and that
is the *provision* it has made for *spreading* the
knowledge of the great truths and duties of
religion through *all nations*, and *all ages*;
by *forming societies* every where, for pub-
licly reading and professing in them the
perfect scheme of Religion and Morality
given by *Revelation*, and worshipping God
according to its instructions: and by ap-
pointing a *Ministry* in the Christian church,
whose great business, throughout all ages,
should be to study, recommend, and in-
force the truths and duties of Religion and
Morality *in conjunction*. The *Philosophers*
generally left *Religion* to the *Priests*, being
afraid to provoke them by meddling with
their corruptions; and thus the main body
of mankind were given up to the power of
idolatry

* Rev. xx. 14, 15. Matt. x. 28. 1 Cor. xv. 58.

idolatry and superstition ; and Morality being taught *separately* from true Religion, wanted some of its chief parts, and most effectual motives.

Besides, what discoveries they made as to true Religion were studiously confined to their *schools*, and only a *few* persons of parts and leisure enjoyed the advantages of them : whereas the Gospel ^b *maketh wise the simple*, being published and read in every language, and Christians called by it to devote *one* day of every week more intirely to the knowledge of God, to the study of his will, the acknowledgment and imitation of his goodness, and the preparing themselves for a state of perfect virtue and piety, and enduring happiness. And then, Christian Ministers are obliged by their office to teach *all* without exception true piety and virtue, and excite and assist them in the practice ; and to devote their time, their abilities and improvements to the promoting these ; without paying any regard to *established corruptions*, or seeking the favour, or fearing the displeasure of the most powerful corrupters ; and so to perform the duties of public worship, as may most cherish in all the fear and love of God, and the desire and hope of a blessed immortality, to be attained by the greatest improvements in true goodness.

How

^b Psal. xix. 7.

2 Tim. iii. 15—17.

How much mankind have been obliged to *Christianity* for this provision, may be easily determined, by comparing the knowledge of Religion and Morality, attained by the *generality* of sincere Christians in *Protestant* countries, not only with that of the *bulk* of *Heathen* nations, but even of the *Philosophers*. For among the *lower* ranks of people, you can scarce find a person who has any way attended to the instructions of the Christian Revelation and Ministry, and to the institutions of his Religion, but thinks more worthily of the Being, Perfections, and Providence of God, of the obligation of the great duties of Morality, and of the certainty of a future state of retribution, than the *generality* even of the *Philosophers* had done.

SECTION XI. I cannot better conclude this chapter, than with the testimony of a *very learned* man, beyond dispute perfectly well acquainted with the religious and moral sentiments of *Cicero*, the greatest heathen Philosopher, and a man who cannot be thought partial to *Revelation* in the preference which he gives to it above unassisted *Reason* and *Philosophy*. * Dr. Middleton having observed, that “ the scheme of Morality professed by *Cicero* was certainly the most complete that the *Gentile* world “ had

* Life of *Cicero*, 8vo. Vol. III. page 354.

“ had ever been acquainted with, the utmost effort that human nature could make towards attaining its proper end ;” and taken notice of some considerable deficiencies in it, he then adds this honourable and just testimony to the superior excellency of *Revelation*^a.

“ From this general view of *Cicero's Religion*, one cannot help observing, that the most exalted state of human *Reason* is so far from superseding the use, that it demonstrates the benefit of a *more explicit Revelation*: for though the *natural Law*, in the perfection to which it was carried by *Cicero*, might serve for a sufficient guide to the few, such as himself, of enlarged minds, and happy dispositions, yet it had been so long depraved and adulterated, by the prevailing errors and vices of mankind, that it was not discoverable even to those few, without great pains and study, and could not produce in them at last any thing more than a *Hope*, never a full Persuasion ; whilst the greatest part of mankind, even of the virtuous and inquisitive, lived *without the knowledge of a God, or the expectation of a futurity*; and the multitude in every country was left to the gross idolatry of the popular worship.

“ When

^a Ibid. page 357. Note x.

“ When we reflect on all this, we must
 “ needs see abundant reason to be thankful
 “ to God, for the divine light of his Gospel;
 “ which has revealed at last to babes, what
 “ was hidden from the wise; and without the
 “ pains of searching, or danger of mista-
 “ king, has given us not only the *Hope*, but
 “ the *Assurance* of happiness; and made us
 “ not only the *Believers*, but the *Heirs* of
 “ *immortality*.”

Consult on the Subject of this Chapter,

Leng's Sermons at *Boyle's* Lecture. Sermon
 xi. and xii.

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 the Doctrines and Miracles of Christ.

—— Christianity neither false nor useless.

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Spirit of the Laws, &c. Book xxiv. Chap.
 i.—vi.

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